



2002 COMPREHENSIVE PLAN

Adopted by Mayor & Council - February 18, 2003

Updated 2012

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**COMPREHENSIVE PLAN 2002
UPDATED 2012**

TOWN OF SMYRNA, DELAWARE

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TOWN OF SMYRNA

COMPREHENSIVE PLAN

2012 Update

Introduction:

The 2002 update to the Comprehensive Plan for the Town of Smyrna, Delaware was adopted by the Mayor and Council on February 18, 2003. It revised the plan originally adopted in April 1988, and amended in April 1997. The 2002/2003 update incorporated more recent Census and land use data, reflected recent changes in the development of the community, and addressed specific new requirements imposed by changes in the state's municipal planning, zoning and annexation statutes.

This 2012 update to the plan was prepared in accordance with the most current State Code requirements for local comprehensive plans as set forth in 22 Del. C. Chapter 702 and 29 Del. C. chapter 92 and with the guidance of the Office of State Planning Coordination. It incorporates the state comments from 2010 (PLUS), the legal ruling and the intergovernmental agreement relating to Smyrna's growth to the north, additional planning actions by the town since 2003, and recent development projects that were either not known or just beginning when the plan was last updated. Pursuant to guidance from the Office of State Planning Coordination this update does not change the original certification date of the plan (May 16, 2003), hence a fully comprehensive plan update will be due on or before May 16, 2019. It is anticipated that this update will result in a recertification of the Kent County portion of the plan and an initial certification of the New Castle County portion.



CHAPTER 1 - BACKGROUND, HISTORY AND PLANNING PROCESS

Smyrna in Time and Place

Smyrna is located at the border between the northern two counties in Delaware, Kent and New Castle, on the main historic route across the Delmarva Peninsula. It was a crossroads and a major waypoint for over-land and water borne traffic. It now serves as a focus for the region and retains its historic character and provides a central point for residences, services and manufacturing. The Town of Smyrna is now at a crossroad of its own between a regional past and a potential future as a bedroom community or a self-sufficient urbanized center. This document represents the Town's choice to continue its past presence.

The Town of Smyrna is located at the intersection of Routes 13 and 300, approximately 35 miles south of Wilmington, Delaware. The historic Route 13 and the newer State Route 1 lead to Wilmington and Philadelphia to the North and Dover and the rest of the peninsula to the south. Route 300, which terminates at Route 13 in Smyrna, leads to the eastern shore of Maryland and then to Baltimore and Washington, both approximately 90 miles to the West, by the direct connection to Route 301. Smyrna is immediately adjacent to the Town of Clayton and a major rail line to the west and Smyrna is closely linked economically with Dover, 12 miles to the south. The Town of Smyrna is outside of the major northeast urban corridor between Washington and Boston and so was not a focus of development until recently. The relatively slow, steady growth preserved the character of the Town and created the elements we appreciate today.

Settlement in the area dates to before the American Revolution. The location at a crossing of two major roads, the King's Highway and the Maryland Road leading from the Delaware Bay to the Chesapeake, attracted grain merchants early in the 18th Century. Grain shipments were made from the landing on Duck Creek to Philadelphia, New York, and Boston. Originally called Duck Creek Crossroads, the town's name was changed to Smyrna by the Delaware General Assembly in 1806. The two major Town banks were founded in 1812 and 1822 and the school district was established in 1829. A steamboat line to Philadelphia using Duck Creek and the Delaware River was started in 1837.

The Civil War divided feelings of people in the Smyrna area. The period after the Civil War was one of great growth and prosperity for the town. Well-to-do businessmen built grand Victorian houses from the profits made in trading grain, peaches, and fertilizers. The Delaware Railroad built in 1856, bypassed Smyrna to the west, due in large part to businessmen reluctant to encourage competition with the steamboat line. As rail



dominated the transport of local goods, manufacturing activities were located in Clayton. After the Civil War, the railroad was extended to Smyrna and another eastward to the Delaware Bay.

In 1900, Smyrna had four manufacturers of phosphates, two foundries, two peach basket factories, three canneries, two carriage works, and a modern electric plant, making it the best-lighted town south of Wilmington. In the 20th Century, growth was slow but steady. The greatest amount of growth occurred in the 1950s and 1960s, when the town's population grew from 2,346 in 1950 to 4,243 in 1970. While the more recent growth rate slowed somewhat, growth in the town's population has been fairly steady overall. According to the U. S. Census Bureau, the town's population in 2000 was 5,679 residents. Because of its strategic location and the availability of public services, the Town is experiencing a surge of new growth (Chapter 2, Appendix A and Appendix D, Figure 5).

The Town's strategic location between the two Delaware counties makes it competitive for business. It's location on SR 1 at the northern edge of Kent County puts the community within one hour of most of the region's major employers. The Town remains accessible to areas beyond for those willing to travel 30 minutes from the main north/south corridor of the nation. Coupled with available land, a commitment to quality growth, designation as a growth area by both the county and the state, and modern public services, Smyrna is poised for significant growth in the next twenty years.

The Planning Process

The Authority to Plan

The preparation of a comprehensive development plan is the legal responsibility of the Town of Smyrna Planning and Zoning Commission pursuant to Delaware municipal planning and zoning enabling legislation. Title 22, Section 702(a) of the Delaware Code specifies that:

“A Planning Commission established in any incorporated municipality under this chapter shall prepare a comprehensive development plan for the city or town or of such part or portions thereof as the commission deems advisable.”

Section 702 also establishes the content of such a comprehensive development plan to include:

“A Comprehensive Plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the



jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county, and the state during plan preparation.”

It goes on to require a higher standard from larger communities:

“The comprehensive plan for municipalities of greater than 2,000 population shall also contain, as appropriate to the size and character of the jurisdiction, a description of the physical, demographic, and economic conditions of the jurisdiction; as well as policies, statements, goals, and planning components for public and private uses of land, transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historical and cultural resources, annexation, and such other elements which in accordance with present and future needs, in the judgment of the municipality, promotes the best health, safety, prosperity, and general public welfare of the jurisdiction’s residents.”

Section 703 provides additional legal authority for the planning commission as stated:

“The Planning Commission shall have the full power and authority to make such investigations, maps, and reports of the resources, possibilities, and needs of the city or town as it deems desirable...”

Recent amendments to the Delaware Code require a formal annexation plan element and a comprehensive rezoning after the adoption or revision of a comprehensive plan to bring the zoning ordinance and map into compliance with the adopted comprehensive plan.

These amendments to state law, enacted in July 2001, will be met by this revision to Smyrna's plan and the continuing planning activities it calls for.

The 1973 Comprehensive Plan

Smyrna adopted its first Comprehensive Plan in 1973. At that time, there was no economic stimulus for major new development, but the continued vitality of Dover, 12 miles south, meant modest spillover growth was likely in the area. The 1973 plan indicated that utility systems were adequate for a doubling of population. Housing



deterioration and lack of affordable housing for low- and moderate-income persons and families were identified as significant concerns. The plan called for establishment of an historic district, which would help encourage reinvestment in deteriorating houses and for a housing conservation code to require repairs to deteriorating buildings. At that time, there were needs for a community health clinic, a new Town Hall, a new police station, and a new library.

The Planning Process, 1986-1988

Updating the 1973 Comprehensive Plan was a four-step process involving four memoranda prepared by the town's consultant and discussed with the Town Council and the Planning & Zoning Commission at joint planning workshops held from October 1986 through 1987. The first two dealt with issues and priorities for the plan, existing land use, and environmental conditions, population and employment trends and projections, and the holding capacity of vacant land within the Town limits. The third and fourth memorandum described alternative growth scenarios for the Town of Smyrna and policies which would be required to create these different future patterns of community growth. From these alternatives, the town chose policies aimed at a compact land cost-effective growth pattern with a program of annexation expected to control growth adjacent to the town and to provide needed lands for desired employment opportunities. The Smyrna Town Council formally adopted the Comprehensive Plan Update on April 18, 1988.

1997 Update to the Comprehensive Plan

The 1997 Comprehensive Plan update included changes that would influence the character of the Town. It designated a 300 foot green space centered on the creeks and allowed for future designation of an historic area for places such as Belmont Hall. It suggested Belmont Hall's classification change to an Institutional and Recreational use to reflect its purpose as a state conference center. The 1997 update also provided for a review every five years of farmland placed in the State's Agricultural Lands Preservation Program. It also designated lands generally east of the railroad tracks and south of Route 300 as a proposed industrial park and developed written text to accompany the Land Use Plan (the most recent is in Chapter 3 and Map 4). The Plan was approved by the Town Council on April 21, 1997

2002 Review and Addendum to the Comprehensive Plan

Pursuant to state law, a municipality is required to review its comprehensive plan at least every five years to determine if its provisions are still relevant given changing economic and other conditions. The 2002 review and amendment to the town's plan provides updated information on existing land use, growth, and development issues, and population and economic trends. It also updates the 1997 plan by adding an



annexation plan element to bring the comprehensive plan into compliance with then recently enacted changes to the state planning statutes (HB 255, enacted by the 141st General Assembly and signed by the Governor on July 13, 2001.)

Numerous public workshops and reviews of the draft plan and its components had occurred during the plan review process. The Planning & Zoning Commission had considered the draft during ten public meetings at various venues in the Town. Mayor and Council considered the draft annexation plans specifically at two sessions. Final review and approval by Mayor and Council required a public hearing after the plan was certified by the Governor on May 16, 2003.

The 2005 update was compiled from the comments received during the initial planning period, the comments and recommendations of the state agencies as presented in January, 2003 and January, 2005. The 2002 addenda resulted in an agreement reached with Kent County regarding areas south of Brenford Road to be memorialized in the 2005 Plan. The policies included in the 2002 Plan and resultant annexations were adjudicated in Superior Court. Sewer service was found allowable to areas annexed by the town north of Duck Creek. The agreements reached in May 2005 between the Town, New Castle County, and the State settled those issues involved in the “Area of Dispute” as identified in the State Strategies Plan.

This update of the plan was considered by the Planning & Zoning Commission and included a public hearing. It was submitted for PLUS review in September, 2005. Following receipt and consideration of PLUS comments and after Commission action, it was submitted to the Mayor and Council and approved by both bodies.

2010 Update to the Comprehensive Plan

This update of the plan was submitted to PLUS review in April 2010 after consideration by the Planning and Zoning Commission, including a public hearing. Following receipt and consideration of PLUS comments and after Commission action, it was submitted to Mayor & Council and approved by both bodies.



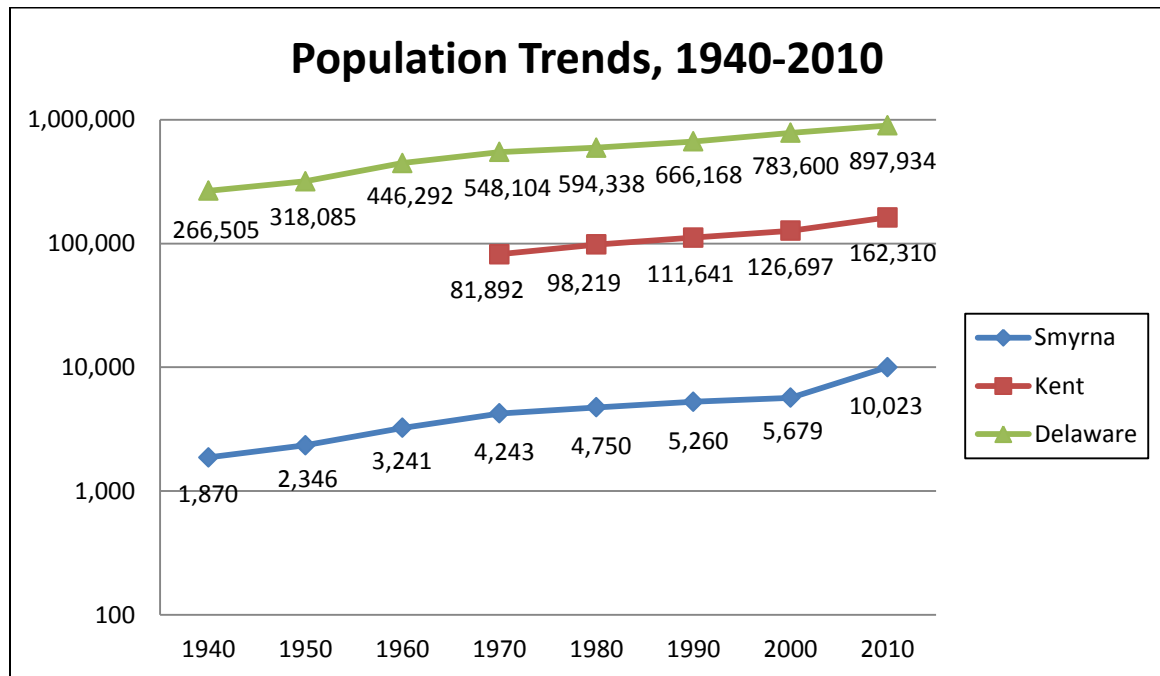
CHAPTER 2 - COMMUNITY PROFILE

The Comprehensive Plan must reflect the demographic, housing and economic characteristics of the community within its regional and larger setting. The following tables were derived from the 2010 U.S. Census and compare the Town of Smyrna with Kent County and the State of Delaware. These analyses, while constrained by the inherent limitations of census data and the potential for error introduced by the size of the local database, help to formulate the Comprehensive Plan's strategies, goals, and policies.

Selected Demographic and Economic Data: Smyrna, Kent County and Delaware

Population Trends, 1940-2010

The 2010 population of Smyrna was 10,023, according to the United States Census. Population growth remained consistent with Kent County and Delaware trends from 1940 until 1980. During the 1980's through 2000, the percentage growth in Smyrna did not keep pace with the County or State. The most recent Census and Delaware Population Consortium estimates document a considerable rise in the rate of population growth not experienced in the broader region due to the expanded interest in the Town from developers, builders, residents, and businesses.



Population Growth, 2000-2005; Projections to 2020

Based on the growth rates used by Kent County (between 4-6%), Smyrna's population will reach approximately 8,138 in the year 2010, 9,207 in 2015, and 9,579 in 2020. Under what we feel is a more accurate assumption of a 7% ongoing growth rate, the population in Smyrna will reach 8,922 in 2010. Smyrna has in fact, almost doubled in population since 2000, with population reaching 10,023 in 2010

Recent trends in construction over the past 10 years have supported this assumption for the Town of Smyrna. Recent increases in housing units led to a commensurate increase in new residents. Factors influencing consistent growth include the expansion of the Town boundaries through annexation, upgrades to the Kent County sewer system, the pricing attractiveness of Kent County as compared to New Castle County, and the completion of the restricted-access State Route 1. The following documents the projected growth of the Town, the County and the State based on these rates:

Projected Population

Geography	2000	2005	2010	2015	2020
Delaware Rate	786,448	838,913 6.7%	888,230 5.9%	932,870 5.0%	972,407 4.2%
Kent County Rate	127,085	138,349 8.8%	146,259 5.7%	152,797 4.5%	158,986 4.1%
Town of Smyrna (Estimates based on adjusted Kent County growth rates)	5,679	8,336	8,813	9,207	95,79

Source: CADSR, Town modifications

Due to experiences in recent growth and housing development, the Town of Smyrna anticipates growth of approximately 800 - 1000 residents per year through the rest of this decade. This represents aggressive but realistic projected growth rates of 30 to 40 percent per decade. The projected growth based on issued building permits for the Town of Smyrna indicates a rate higher than that of Kent County. This aggressive growth is determined by the potential housing capacity of approximately 4,000 lots as well as the variables mentioned previously, e.g. the recently upgraded sewer system, etc. The following are projections of the population based on the stated growth in the number of units:

Population Growth Based on Projected Unit Growth

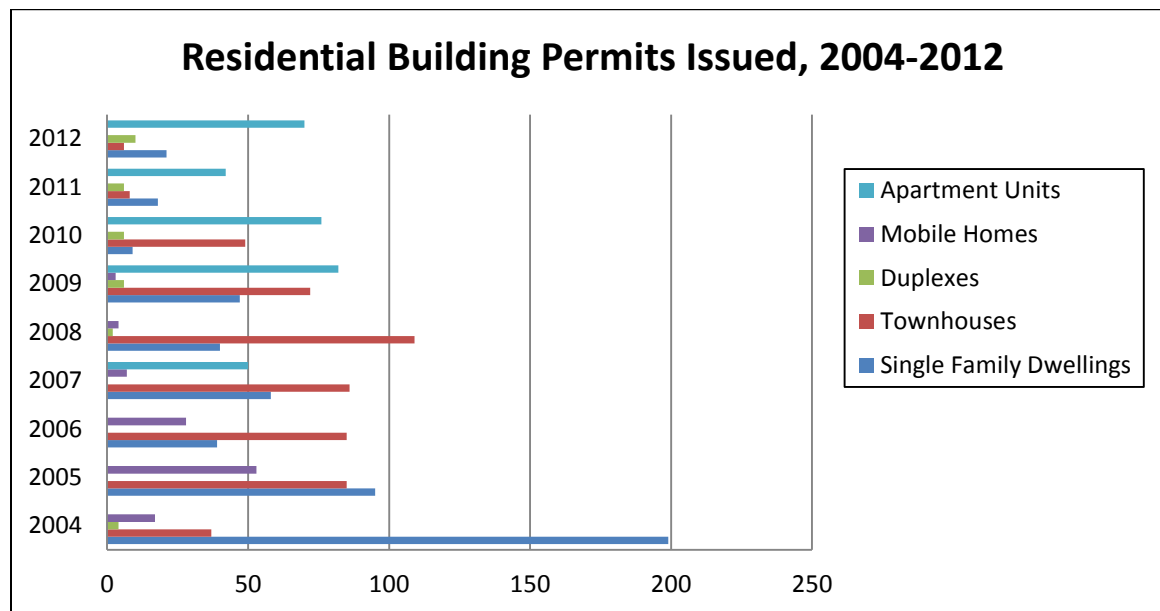
Unit Growth	2000	2005	2010	2015	2020
by 250 units	5,679	8,402	11,902	15,402	18,902
by 300 units	5,679	8,402	12,602	16,802	21,002

The Town anticipates higher growth rates in the coming years with rates slowing as the build out of vacant land in the current Town and annexed areas occurs by the year 2020.



Even with slower progress towards the build out, the Town expects an annual average of 250 units in the next 10-15 years. Based on the Census calculation of 2.8 persons per unit, a conservative estimate of 250 units added each year would result in a population of almost 19,000 people by 2020.

In 2012, the Town has issued 107 certificates of occupancy, 21 were issued for single family homes, 6 were issued for townhouses, 10 were issued for duplexes, and 70 were issued for apartments.



From 2004 through 2012, the Town has issued 1,529 residential building permits for new construction. Of the 1,529 permits issued, 526 were issued for single family homes, 112 were issued for mobile homes, 537 were issued for townhouses, 34 were issued for duplexes and 320 were issued for apartment units. Smyrna has led the State in building permits issued from 2008 t 2011.

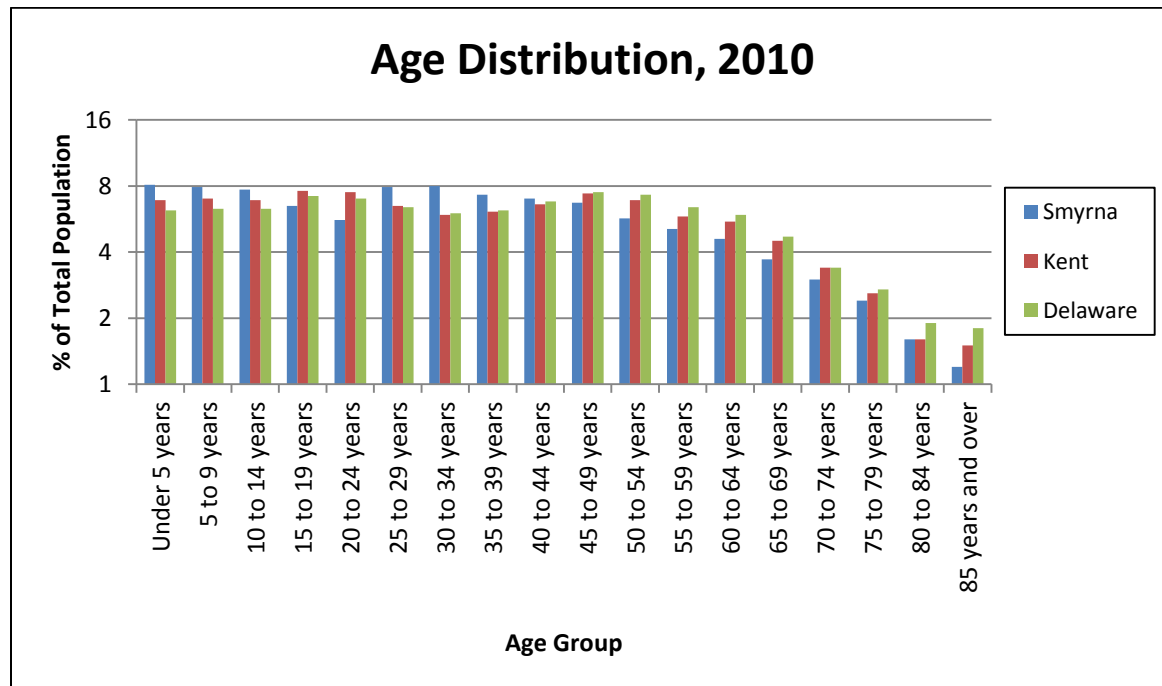
Although the number of residential building permits issued has been relatively slower over the past few past years, the continued construction in Smyrna was a positive sign in a slow housing market. We believe that continued interest in the greater Smyrna area, the number of approved or soon to be approved developments, and the availability of utilities to growth areas in the near future support the population projections.



Age Distribution, 2010

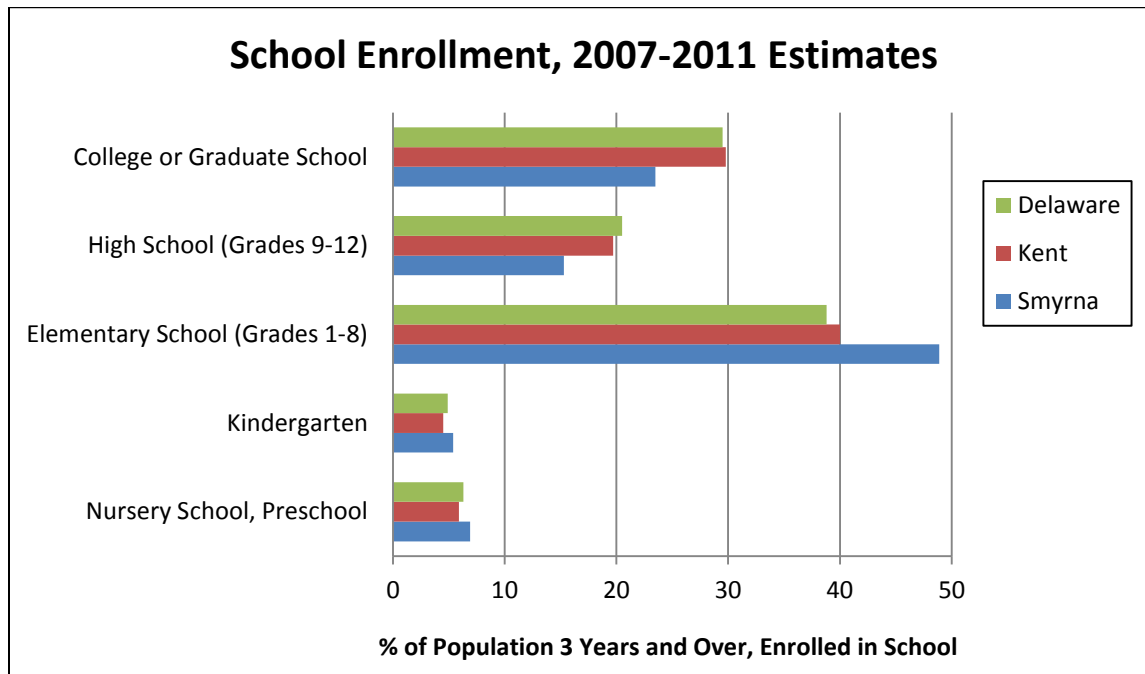
The median age in 2010 was 33.9 years, lower than both Kent County (36.6 years) and Delaware (38.8 years). 40.5% of households had residents under 18 years and 21.8% of households had residents 65 years and over. In comparison to Kent County and Delaware, Smyrna has slightly higher percentages of citizens under the age of 5 years and 25 to 34 years, but a lesser percentage of citizens between 15 and 20 years. This may suggest that Smyrna is attractive to young families, but young adults are leaving the area in search of educational and job opportunities. College or graduate school enrollment possibly reasons the missing of 20 to 24 years old citizens in Smyrna. The percentage of Smyrna citizens who are 65 years and over (12%) is slightly lower than Kent County (13.5%) and Delaware (14.4%).

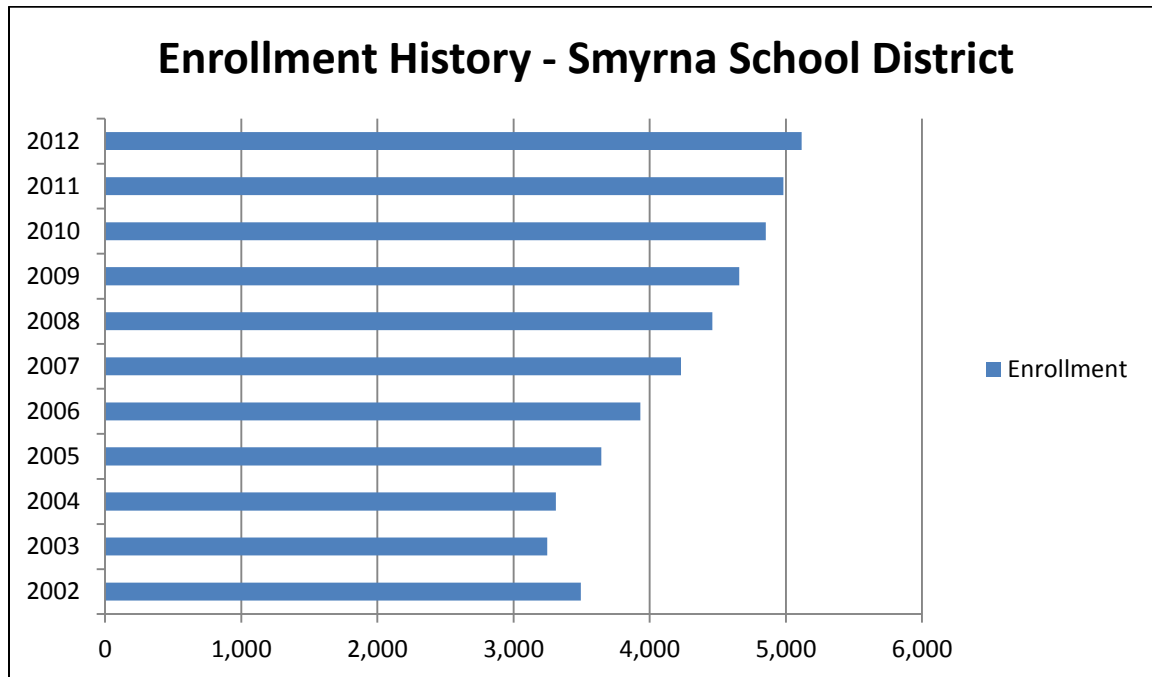
Paying attention to the portion of resident age below 19 years, the town will continue to face future demands in daycare and kindergartens, schools, recreation facilities, and affordable housing. In addition, capacity in secondary education, libraries, cultural and social points of gathering such as the Opera House or Boys and Girls club has to be extended. At the opposite site of the age distribution graph, the town has to be aware of its elderly residents and has to focus on a sufficient coverage of services for senior citizens. Besides medical services, special offers and programs focused on these age groups should be considered in the town's strategies for a healthy and livable Smyrna.



School Enrollment, 2007-2011 Estimates

According to the U.S. Census Bureau 2007-2011 American Community Survey, 5 year estimates, Smyrna had an estimated 2,946 students over the age of 3 years enrolled in school in the year 2010. Compared to Kent County and Delaware, Smyrna has a slightly higher percentage of students in nursery or pre-school, kindergarten, and elementary school and a significantly lower percentage of students enrolled in high school and college or graduate school.





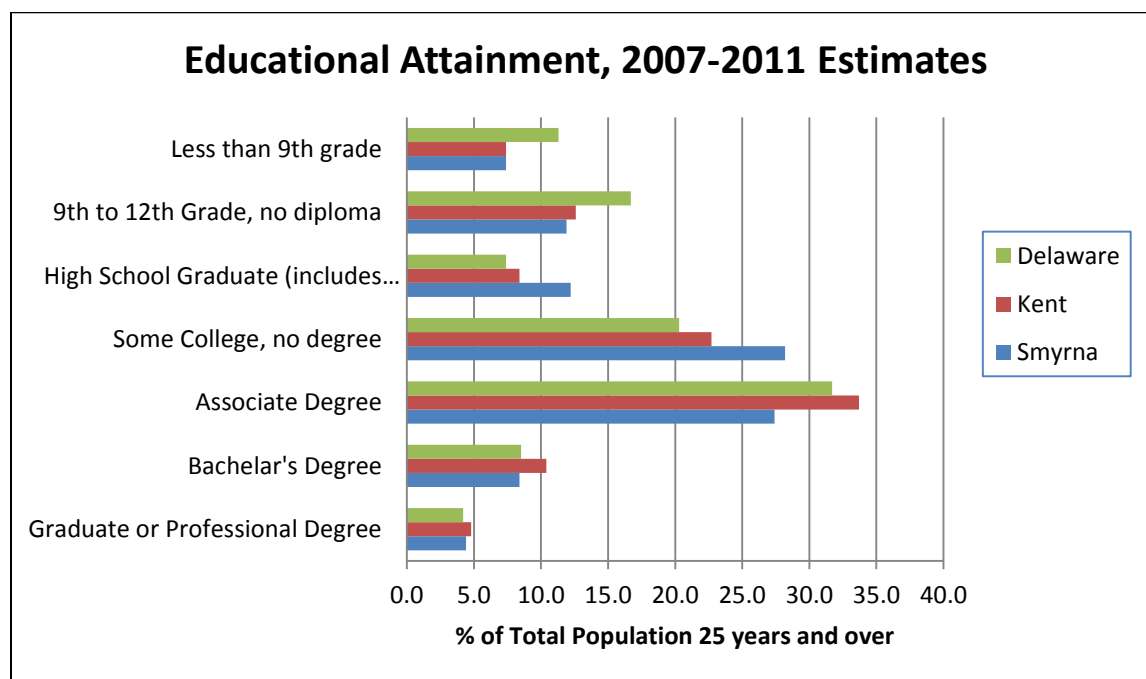
Significant changes in the total amount of enrolled students in the Smyrna School District occurred when Providence Creek Charter School opened in 2002. As a direct result, the Smyrna School District noted a decrease in enrolled students in 2003. In 2004, Smyrna returned to an increase in enrolled students. In the last 5 years (2008-2012) Smyrna School District has faced an increase of 15 percent in its school enrollment. The completion of Smyrna Middle School (2003), Sunnyside Elementary (2008) and Clayton Intermediate School (2012) has met the demand of increased enrollment, however, as this trend continues, the School District's educational infrastructure will be exceeding its capacity limits.



Educational Attainment, 2007-2011 Estimates

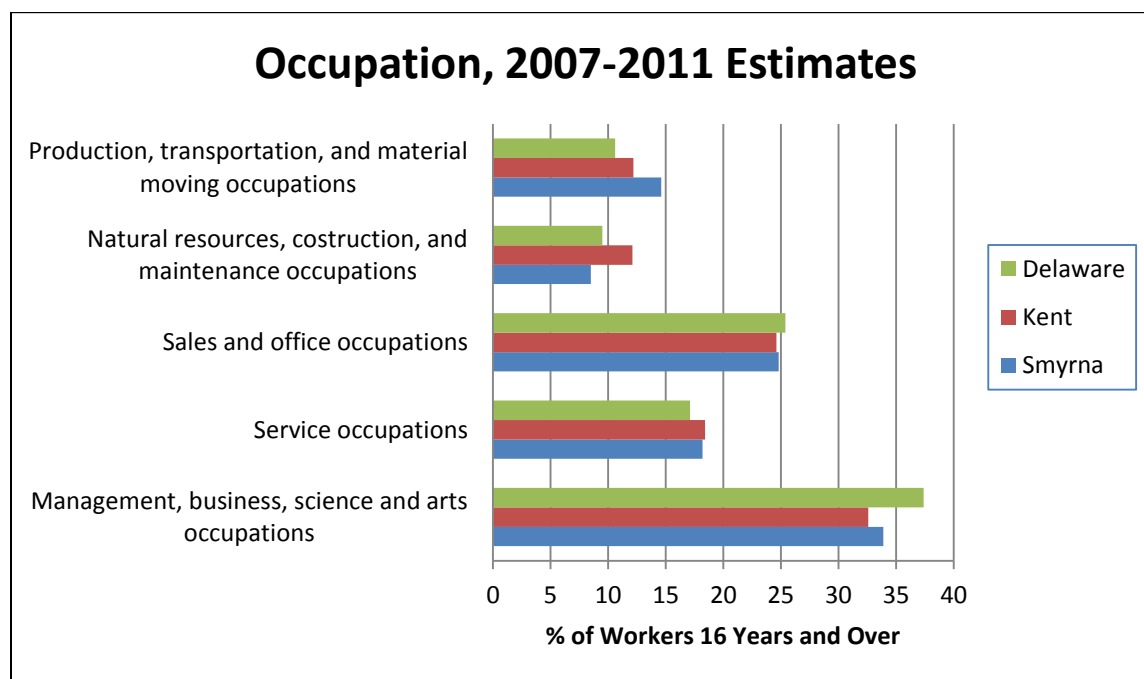
According to the U.S. Census Bureau 2007-2011 American Community Survey, 5 year estimates, 87.1% of Smyrna residents, 25 years and over have graduated from high school which is comparable to Delaware (87.4 %) and slightly higher than Kent County (84.9 %).

However, while the percentage of Smyrna residents (19.3%) 25 years and over who have attained college degrees is on par with Kent County (20%), both Smyrna and Kent County are significantly lower than Delaware (28 %). These figures imply that Smyrna and Kent County lack attractiveness for young college graduates entering the job market. This may also reflect the educational attainment of young families and citizens 65 years and over who transitioned straight from high school to work.



Occupation, 2007-2011 Estimates

According to U.S. Census Bureau 2007-2011 American Community Survey, 5 year estimates, Smyrna is consistent with Kent County and Delaware occupation distribution levels in a number of categories, reflecting a diversified workforce. However, Smyrna has a slightly higher percentage (33.9%) of citizens in management and professional occupations than Kent County (32.6%), while both have lower percentages than Delaware (37.4%). It should be noted that in 2000, the percentage of Smyrna citizens in management and professional occupations was lower than the percentage of Smyrna citizens in service occupations. According to the U.S. Census Bureau 2007-2011 American Community Survey estimates, the percentage of Smyrna citizens in management and professional occupations (33.9%) has increased above those citizens in service occupations (18.2%). Care must be exercised in interpretation of figures, as the data illustrates occupations of the Town's residents, not the occupations available within the geographical confines of the town as the estimated mean travel time to work for Smyrna residents was 32 minutes, higher than the averages of both Kent County (25.1) and Delaware (24.6). The increase of Smyrna citizens in management and professional occupations indicates that Smyrna has progressively become a more attractive choice for residence of citizens employed in the management and professional field.



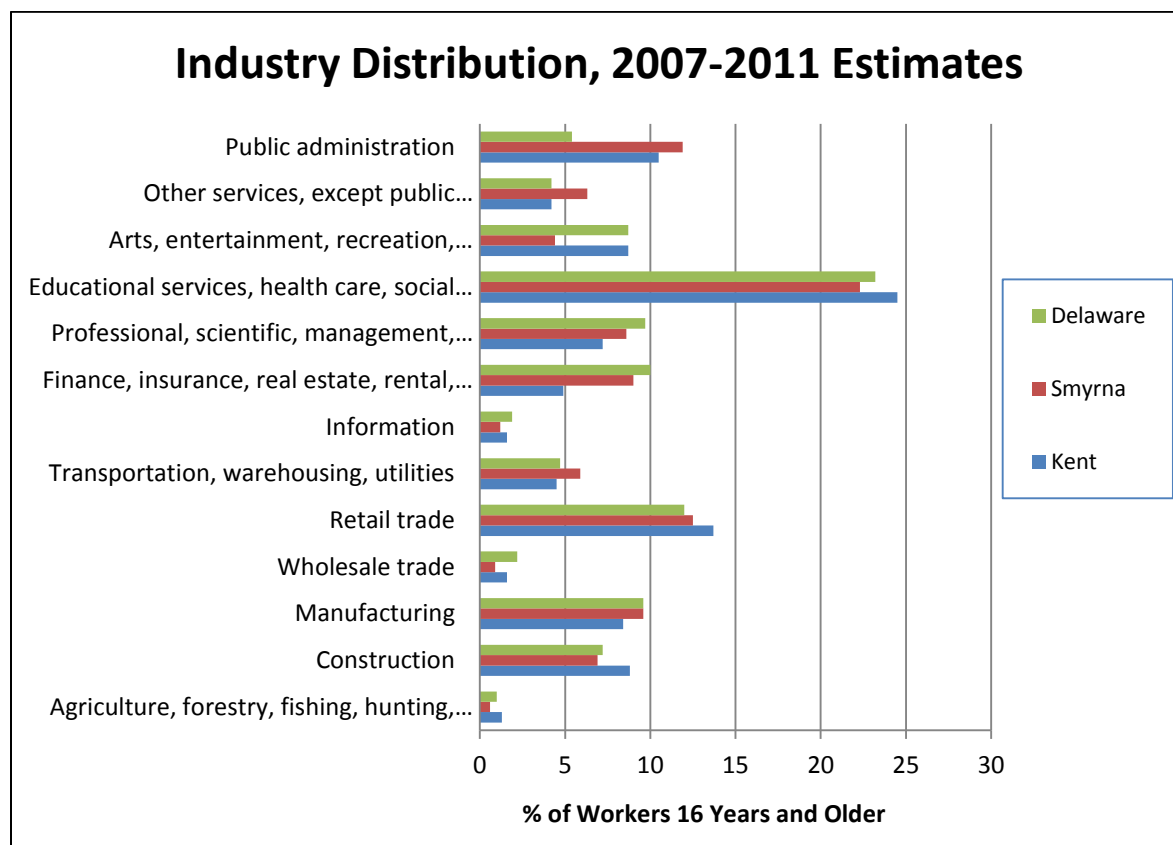
9.1% of Smyrna residents were estimated to be unemployed between 2007-2011, which is slightly higher than estimations for both Kent County (8.2%) and Delaware (7.7%) rates. Since 2000, Smyrna's percentage of unemployed residents increased by 7%, with Kent County and Delaware increasing 4.6% and 4.3% respectively.



Industry Distribution, 2007-2011 Estimates

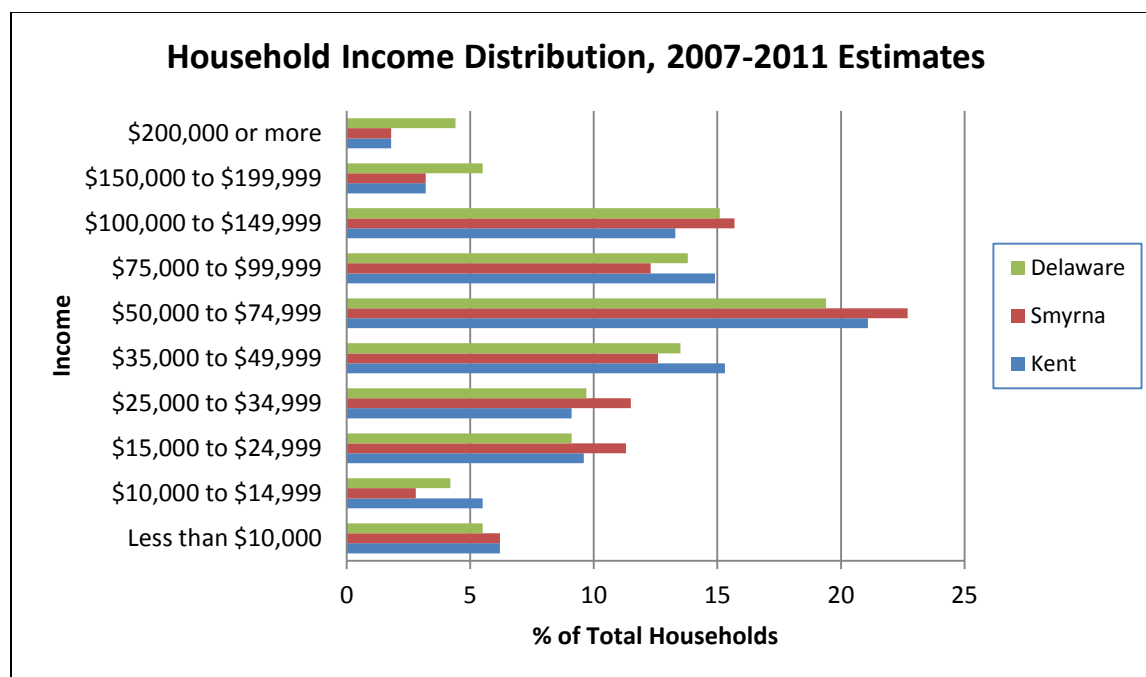
According to the U.S. Census Bureau, 2007-2011 American Community Survey estimates, Smyrna is consistent with Kent County and Delaware industry distribution levels in a number of categories, again reflecting a diversified workforce.

It should be noted that Smyrna residents employed in the professional, management industry (8.6%) was slightly higher than Kent County (7.2%) and slightly lower than Delaware (9.7%). Smyrna experienced an increase of 3.1% since 2000, whereas Kent County and Delaware experienced only minor increases, 0.6% and 0.4% respectively. Other notable Smyrna increases include the transportation and warehousing industry increased by 2.1% and the educational services, health care and social assistance industry increased by 2.9%. These increases can be attributed to several notable developments since 2000, including the construction of the Wal-Mart Distribution Center, the construction of several new schools, the expansion of the Bayhealth medical facility as well as the construction of the Smyrna Health and Wellness Center, which houses various Christiana Care services and the relocation of the State Service Center to Commodore Commons.



Household Income Distribution, 2007-2011 Estimates

According to the U.S. Census Bureau, 2007-2011 American Community Survey estimates the median household income in Smyrna was \$53,765, comparable to Kent County's median household income of \$54,783. Both Kent County and Smyrna are significantly lower compared to Delaware (\$59,317), which is reflective of the overall lower costs of living in Kent County. The distribution of Smyrna households receiving an income of \$50,000 to \$74,999 (22.7%) is slightly higher compared to Kent County (21.1%) and Delaware (19.4%), demonstrating the attractiveness of Smyrna's proximity to Route 1 and its lower costs of living, making it an attractive location to live.



Households, 2010

According to the 2010 U.S. Census, there are 3,696 households in Smyrna, 70.6% (2,609) of which are considered family households. The U.S. Census Bureau defines family households as those households consisting of a householder and one or more other people related to the householder by birth, marriage or adoption. 40.5% of the total number of Smyrna households have individuals under the age of 18 years, 21.8% of the total number of Smyrna households have individuals 65 years and older. In Smyrna, the average family size is 3.17 persons and the average household size is 2.66 persons. As previously stated, the age distribution for Smyrna suggests that Smyrna is attractive to young families; therefore, efforts continue to be made by the Town of

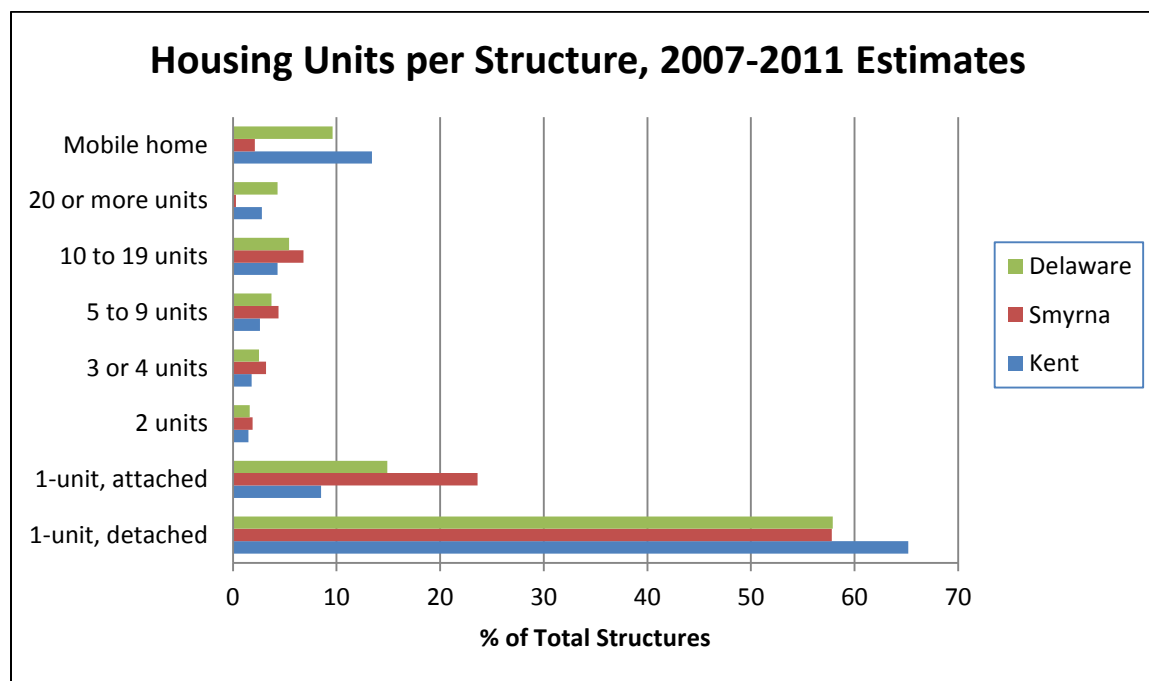


Smyrna to maintain a housing market which offers an affordable housing mix.

According to the 2010 Census, 68.9% of Smyrna's housing represented homeowner occupied housing, an 8.9% increase from 2000. 31.1% represented renter-occupied housing, a decrease of almost 10% from 2000. While several apartment developments are currently underway, many of which are completed and occupied, owner-occupied housing has increased and renter-occupied housing has decreased, as Smyrna continues to offer a mixture of affordable housing types, such as duplexes, townhouses, and single-family homes.

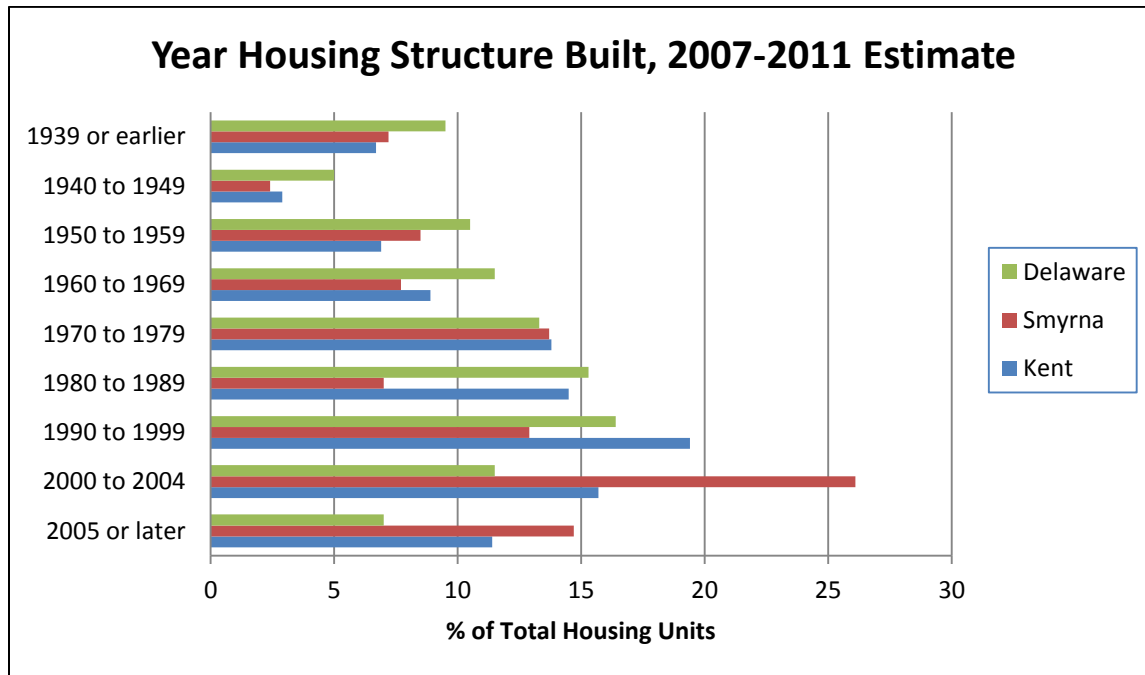
Number of Housing Units per Structure, 2007-2011 Estimates

Housing in Smyrna and Delaware is predominantly 1-unit, detached structures. There are slightly higher proportions of this type of housing in Kent County, however Smyrna offers significantly more 1-unit attached dwellings than both Kent County and Delaware, as well as structures housing 10-19 units. This is indicative of Smyrna maintaining a housing market that offers a diverse mix of housing choices



Year Housing Unit Structure Built, 2007-2011

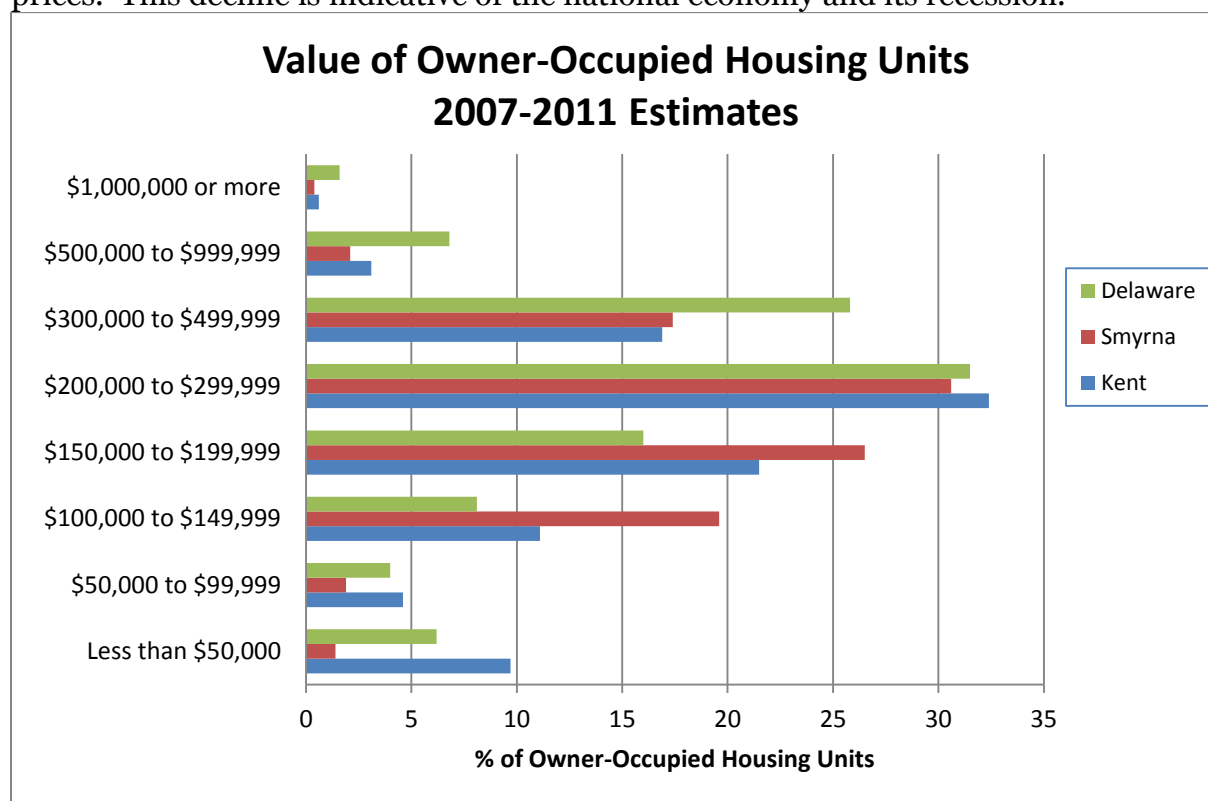
Compared to Kent County and Delaware, Smyrna has a higher proportion of homes constructed after 2000, these numbers reflect the rapid growth experienced by Smyrna due to its location and price attractiveness. Smyrna continues to grow at a faster rate than both Kent County and Delaware, as illustrated by the significantly higher percentages of housing units constructed from 2005 and later



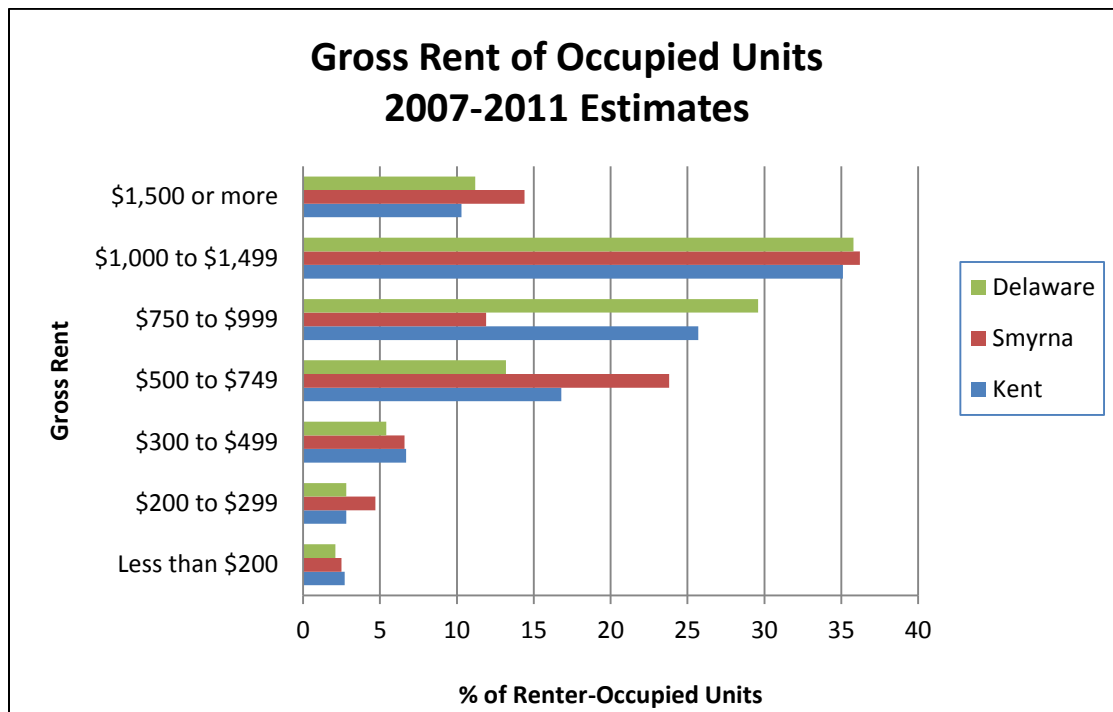
Housing Costs, 2007-2011, Estimates

Based on the U.S. Census Bureau, American Community Survey 2007-2011 estimates, Smyrna has predominately more owner-occupied housing units valued between \$100,000 and \$199,999 than Kent County and Delaware. The percentage of owner-occupied housing units valued between \$200,000 and \$299,999 in Smyrna is comparable to those same units in Kent County and Delaware. The median value of owner-occupied homes in Smyrna is \$201,000, with Kent County owner-occupied homes valued at a median of \$208,300 and \$244,100 in Delaware.

The Town of Smyrna remains highly attractive to real estate. Current statistics on issued building permits support this statement. Delaware Real Estate Data published in 2009 by the Delaware State Housing Authority (DSHA) showed Smyrna with a median home price of \$242,000 in the first quarter and a median home price of \$201,500 during the second quarter, with an average home price of \$235,294 and \$221,150 for Smyrna, respectively. In comparison, Kent County is mentioned with an \$213,000 median home price in the first quarter and a median home price of \$200,000 during the second quarter, with an average home price of \$215,600 and \$196,667 respectively. The second quarter statistics indicated a slight decline in Smyrna prices as well as Kent County prices. This decline is indicative of the national economy and its recession.



The proportion of units that were estimated to be rented from 2007-2011 in Smyrna for between \$1,000 and \$1,499 was higher than the both Kent County and the State of Delaware. There is a greater proportion of rents between \$500 and \$749 per month in the State than Smyrna and there are virtually no rents in the highest category of \$1,500 or more within Smyrna while 2% the rest of the renters in the state pay rents above \$1500.



CHAPTER 3 - THE DEVELOPMENT PLAN

INTRODUCTION

A Comprehensive Plan describes the anticipated future impacts on the community and its development. It quantifies anticipated development and how the town expects to handle development issues. It includes individual plans for the development and extension of utilities, infrastructure and public facilities. It attempts to quantify the effects of future growth on transportation and describes how the Town expects to deal with such growth. It also describes how the town expects to handle future housing and economic developments, and future environmental and recreation issues. It is essential for the development plan to be coordinated with other levels of government that in surrounding towns the county, and the state. Each of these are discussed in this Chapter and are represented on the Figures included in Appendix D.

The Smyrna Development Plan is a guide to be followed by the Town, property owners and developers in addressing the future physical and economic development of the Town and its immediate surroundings. Many of the elements involved with the growth and development of the area are interrelated, so that the effective resolution of an issue must involve simultaneous concern for the other issues.

ASSUMPTIONS

A number of assumptions provide the basis for the 2002 plan revision and this update to the comprehensive development plan and a major change in any of these assumptions may require revisions to the plan or to parts of the plan. Among the most important assumptions related to the plan are the following:

The completion of SR 1 north of Smyrna makes the area more attractive to future residents and employers.

The rate of population growth for the area will be at least that of the last four years.

The Town's increasing light industrial and service employment opportunities will help maintain the growth.

That the three large employers in the area, the Wal-Mart Distribution Center , the Department of Corrections and the Delaware Hospital for the Chronically Ill, and other major employers will continue to be important.



The Town of Smyrna, while welcoming the opportunity to serve new residents, has no interest in becoming simply a bedroom community to other regional employment centers.

ISSUES AND GOALS

In the planning process for this comprehensive plan update, five major issues emerged which have shaped the nature of the plan and its implementation recommendations.

1. There had been a lack of significant new employment opportunities in the Smyrna-Clayton area in past years. Securing suitable business sites for future growth and effectively promoting the Smyrna area to potential employers with substantial positions are continuing challenges although recent announcements of new employers coming to the area are encouraging.
2. The preservation of historic buildings and the gradual decline of the central historic core are currently being addressed in the Town's policies. Preservation of a healthy setting and attitude for the historic and architectural assets of the central core is important to the preservation of the individual buildings. Support for downtown redevelopment consistent with retention of the area's historic character and resources is critical and requires an effective partnership between the town, the Smyrna Downtown Renaissance Association, and business and property owners.
3. Annexation, while not necessary to meet the immediate needs for housing in Smyrna, is an important tool for the control of growth around the periphery of the town, particularly to avoid uncontrolled strip development and scattered development patterns. In doing so it protects the interests of the existing Town residents. In addition, annexation offers opportunities to establish business and/or office and research parks to bring about desired employment opportunities and the proper balance between residential and non-residential development of the community.
4. Anticipated growth in and around Smyrna has the potential to significantly change the character of the area and impact on the town's water, sewer, and other services. Smyrna must be an active and informed participant in planning activities of the State, both Kent and New Castle counties, and nearby communities in order to protect the town's interests and ensure that Smyrna can forge its own destiny.
5. The extension of utilities is a strategic planning tool for the Town, both to encourage development of appropriate uses in desired locations and to prevent



unnecessary and inefficient ‘leapfrogging’ or bypassing of vacant parcels and tracts of land.

SECTION 1 - LAND USE PLAN

GROWTH

The principal goals for growth are to achieve a steady rate of planned growth while allowing for the efficient expansion of public services in the urbanized area and ensuring the maintenance of the essential character of the community.

Policies supporting these goals include:

- a. The Planning and Zoning Commission must consider the existing pattern of the urbanized area, availability of or proximity to public services, and policies adopted within this planning document when making decisions on subdivisions, special use permits, or site plan approvals, and when making recommendations on rezoning and annexations to the Town Council.
- b. Sufficient information on marketability, costs and benefits to the Town, and construction phasing of the project must be available to the Town in order to make informed decisions on proposed developments.
- c. Those areas which may be annexed in the future must be consistent with the annexation plan for the community, done in a manner that maintains the character of the town, carefully linked to the overall growth goals, and consistent with the availability of public utilities and services, including Fire Service, Police Service, and Schools.

LAND USE COMPATIBILITY

Land uses should be so located that efficiency and convenience are created by placing compatible uses adjacent to one other, so that undue disturbances and hazards are avoided by the physical distance between incompatible uses and so that adequate buffers and barriers are provided at places of transition between uses.

Policies supporting these goals include:

- a. Careful reservation of sites for and mixing of uses which support newly developing areas, such as neighborhood commercial clusters, senior citizen and community centers, schools, or places of worship.



- b. Assuring the reservation of sufficient business and commercial sites to permit competitive industrial land value pricing and to discourage speculation on a fewer number of sites.
- c. Placing specific setback, screening and landscaping requirements, and performance standards at zoning district boundaries.
- d. Evaluation of rezoning requests and development plans utilizing criteria established by the Comprehensive Plan, the zoning and subdivision ordinances, and other land development and construction codes and plans.

GENERAL PLAN CONCEPT

The physical development pattern of the Smyrna-Clayton area has emerged from a series of bypasses of the original historic core of Smyrna. The first was the construction of the main rail line to the west, creating the impetus for the emergence of Clayton as a separate community with significant manufacturing activities. The second was the routing of the DuPont Highway (Route 13) along the eastern edge of the built-up area of Smyrna. The third was the construction of SR 1, the limited-access highway (the Route 13 Relief Route) further to the east.

Each of these events has had the effect of encouraging location of important residential, commercial, and industrial nodes away from the original downtown crossroads of Smyrna, frequently leaving intermediate sites undeveloped and leading to a scattered and fragmented development pattern. Such fragmentation tends to increase transportation and infrastructure costs and to reduce the concentrations of uses that would permit economies of scale beneficial to businesses, to the Town, and to its inhabitants.

With the development of outlying areas of industry, retail and office functions, and residential areas, the downtown core had become characterized by a lower level of activity than might be desirable in a town center. On the other hand, the growth of commercial areas along Route 13 and Route 300 (Glenwood Avenue) has meant less pressure to demolish historic structures, leaving a large district of historically and architecturally significant structures which has been placed on the National Register of Historic Places. Many of the important governmental, educational, financial, and religious institutions of the Town remain concentrated in this area, but the downtown commercial identity had suffered from a lack of visibility and vitality. Public and private efforts continue to pursue an aggressive revitalization program to reinvigorate the historic heart of the community.



The Town recognizes the need to provide for future growth through an efficient and thoughtful series of infill development opportunities while allowing for the expansion of the Town's physical boundaries, as defined in the annexation element, as a tool to manage surrounding growth. In addition, the Town recognizes that the surrounding waterways, woodlands, and productive farmlands form an important resource network and an attractive setting for the development of Smyrna. Continued scattered outward development has the potential to threaten these important resources, while timely development of bypassed infill parcels and incremental growth adjacent to existing developed areas can have the dual advantage of cost efficiency and protection of the natural environment.

The Town's leaders remain committed to recruiting new employment opportunities, particularly for the area's residents. Only a limited number of potential employment sites are in locations where light industrial or larger office buildings would be suitable, considering the adjacent development patterns, even though the town developed and successfully marketed a new Business Park in recent years. That facility and the adjacent site of the Wal-Mart distribution center are about at full occupancy, making the identification and development of an additional business and commerce center a high priority for Smyrna's long range economic health.

The primary motivating forces of the Smyrna Development Plan are strategies to:

- identify appropriate locations for and to attract new businesses to the community;
- achieve a more compact and cost-effective pattern of residential and neighborhood commercial development;
- encourage the revitalization of the downtown by promoting reuse of historic structures in the central core of the Town, and by securing new economic activity in the community;
- support annexation of adjacent areas as a protection against uncontrolled development which would affect the character, attractiveness, and livability of the Town;
- Protect the natural and scenic resources of the area.

LAND USE PLAN

The Land Use Plan provides a framework for future growth and development in the Town of Smyrna and describes preferred relationships among land use types and



intensities. By examining the land use plan as a whole, it is intended that a greater understanding of the fabric and image of the entire community may be gained. (See *Figures 2, 2-1, 2-2, 2-3, 2-4, 3, 3-1, 3-2, 3-3, and 3-4 in Appendix D for the Existing Land Use and Future Land Use Maps.*)

Along with the zoning ordinance, subdivision regulations, environmental controls, and anticipated growth projections, the Land Use Plan has the force of law and guides all development regulations as set forth in 22 Del. C. Chapter 702.

1. Residential Land Uses

Residential land use areas are mapped according to density, implying certain housing types. The residential element of the land use plan is intended to provide for a complete range of housing opportunities, offering variety in size, type, and density to meet the needs of all economic levels, household types, and life styles.

Within the framework of the overall residential land use categories, the plan emphasizes meeting the following goals:

- Encourage the infill development of vacant parcels, both small and large, which have been bypassed by previous development and remain undeveloped or underdeveloped within the built-up areas of the Town and where public services are already available.
- Encourage cluster and planned residential developments based on specific design criteria within each of the density classifications while requiring a clustered or more compact design approach in environmentally sensitive areas.
- Encourage developments that provide appropriate housing for low and moderate-income families and for elderly and handicapped persons.

Low Density Residential

Low density residential areas are composed almost entirely of single-family detached homes, averaging about three to four homes per acre. Low-density residential uses are recommended in outlying areas, in areas adjacent to existing subdivisions of similar density, and in areas of environmental sensitivity such as those adjacent to flood plains and woodlands.

Buffering limits the potential impacts of a more intense use from those of lesser intensity. Low density residential districts should be well buffered from major commercial and industrial areas (high intensity uses) and moderately buffered from



medium and high density residential, institutional, and neighborhood commercial (lesser intensity) areas.

Medium Density Residential

The Land Use Plan locates medium density residential districts in areas with limited conservation and resource protection concerns, in areas adjacent to recreational, commercial, light industrial, and institutional uses, and in areas where the medium-density residential use may provide a transition between low-density residential and higher intensity uses. This category is by far the most extensive residential category, providing opportunities for more affordable development of single-family homes on smaller lots, semi-detached dwellings, and duplexes.

The average net density recommended for medium density residential areas is five to six units per acre. With the increased demand for smaller residential units and the downsizing trend in the housing industry in recent years, development pressure in these districts is likely to increase.

Because the increased density in these areas generates a greater amount of human activity, there is an increased need for proximity to commercial and business districts, employment opportunities, churches, open space and recreation facilities, and a variety of modes of transportation.

Some medium density areas are enclaves which contain existing small and odd shaped lots. These lots can be difficult or impossible to develop or redevelop using the standard medium density zoning districts used by the Town. In these instances it is appropriate to apply high density zones to existing lots and parcels, provided the overall density of the development activity does not exceed 6 units per acre.

Cluster development or planned residential development design should be encouraged whenever feasible for the preservation of open space and resource protection purposes.

High Density Residential

The land use plan locates high density residential areas in several areas adjacent to existing multi-family development and throughout the community as a part of the growth concept. High-density residential development consists primarily of single family attached and multi-family housing types and of mixed-use structures with dwellings above and/or behind ground floor retail or office uses, especially in the historic core of the community.

The average overall density anticipated for high density residential areas is about twelve units per acre within a range from six to twenty dwelling units per gross acre.



High density residential areas require nearby commercial services. Attractive nearby open spaces are very important to the viability of these areas as are pleasant views and vistas from apartment units. Proximity to schools, churches, transportation, and other community and institutional uses is also important in these areas.

2. Commercial Land Use

The commercial development of Smyrna has included a full range of uses, from small, neighborhood stores to regional distribution centers. The commercial use element of the Land Use Plan is divided into two land use categories: Downtown Mixed Use and Commercial Use. Each of these has a unique character from the other and is intended to fulfill different, although somewhat overlapping, functions.

Downtown Mixed Use

Smyrna's Historic Downtown is the location of the Downtown Mixed Use development area. This is the original commercial heart of the town. The relatively small size of lots, existing improvements and close proximity of the structures, and variable uses all combine to create the need for a flexible use area with only minimal bulk, parking and other standards. General business uses of a community-wide nature, professional offices, government offices, business services, limited retail uses and medium and higher density residential uses are planned for new and redevelopment sites in the Downtown Mixed Use area.

The purpose of the Downtown Mixed Use area is to promote development of a compact, pedestrian-oriented town center, consisting of a diverse mix of residential, business, commercial, office, institutional, educational and cultural and entertainment activities for workers, visitors, and residents. By accommodating mixed-use buildings serving retail, service and other uses on the ground floor and residential units above the nonresidential space; allowing for commercial use of a scale and intensity compatible with adjacent residential neighborhoods; permitting for the development of exclusively residential buildings of a scale and intensity compatible with the Town's traditional neighborhood design; allowing residential zoning to promote the preservation of historic residential buildings; encouraging development that exhibits the physical design characteristics of pedestrian-oriented, storefront style shopping streets; and providing flexibility for adaptive re-use of old buildings in the area will create a sense of place that represents Smyrna as a unique, attractive and memorable destination for both visitors and residents alike.

The Downtown Mixed Use area contains the most architecturally and historically significant structures of pre-20th century Smyrna, is intended to be preserved and improved by a mixture of both commercial and residential uses. This mix of use, including residential uses in the rear of storefronts, on upper floors, and in properties



fronting on feeder streets, will foster an appreciation of the special character and sense of place in the historic downtown core. Zoning regulations for this district should encourage mixed-use development, development of sensitively designed parking facilities, and careful control of signage and alterations to the front and visible sides of historic buildings. On the major streets extending from this district, carefully reviewed and implemented conversions of residential structures to small professional offices and distinctive small shops may also be considered.

The utilization of special features (street furniture, signage, lighting, surfaces, and informational materials) by the Town to celebrate the architectural significance of the downtown district and its most significant individual structures should also be undertaken.

Commercial Use

Areas located predominately along U.S. Route 13 and Glenwood Avenue (Route 300) are designated for a commercial use, alongside, between, and extending outwardly from existing commercial areas along the highway and arterial streets. This plan recommends that new commercial areas be developed in coordinated groupings or clusters of commercial buildings with common access from the highway and/or arterial streets, preferably feeding parking areas from the side or rear to limit the number of curb cuts and thereby reduce traffic safety hazards. In parts of this land use area are existing residential structures, which should be allowed to convert to commercial uses under design guidelines which would buffer adjacent residential uses from parking and loading uses while preserving the residential character of the buildings and the site as a transition from the highway into adjacent residential subdivisions.

Commercial uses should be managed in a manner consistent with the Town's desire to improve the appearance, functionality, and safety of Routes 13, as described in the transportation system portion of the plan. Design standards (especially addressing signage, lighting, traffic flow and pedestrian safety) for these areas will be included in new provisions in the zoning ordinance. These design standards will support downtown redevelopment as well as economic redevelopment throughout the Town by providing an inviting gateway leading to Smyrna's historic downtown and surrounding commercial areas.

3. Institutional/Community Land Uses

This plan generally limits major governmental and institutional uses to their current sites, many of which have significant additional developable land in Smyrna. The exceptions to this pattern may be consolidation and relocation of the town's public



safety and utility facilities to a new and more appropriate site, and the introduction of new religious facilities or fraternal organizations which may be appropriate in commercial or residential areas but should be subjected to special review on a case-by-case basis. The development and location of town facilities, fire services, schools, and recreational facilities are addressed in the Community Facilities Plan.

4. Employment Center/Light Industry Land Uses

A major policy goal of the comprehensive plan, as further developed in the Economic Development Plan, is to increase employment opportunities in Smyrna and to increase the tax base. The Town intends to do this by attracting new light industrial and other clean business uses. In 1995, the Town annexed and subsequently acquired property along Route 300 and the railroad on the west side of town for a business park. Recent development, including the location of Wal-Mart's regional distribution center on adjacent property, resulted in a number of the sites within the present Town limits being used. Thus, land suitable for business and light industrial use, is limited.

It is important that all potential sites be evaluated for economic development. All appropriate areas, including such lands which would be annexed into the Town, will be set aside for future business/commerce or light industrial use. The major growth sectors in the economy have been the service enterprises and high tech industries. These clean employers provide for a well-balanced work force that Smyrna town officials seek to invite to the community.

Thus, locations for business and commercial parks and/or office and research parks that are close to existing or new residential uses may be appropriate, providing that these areas are subject to strict performance standards and substantial buffering. Along with existing industrial areas, several sites are identified for future office, service, business and commercial uses, and mixed residential as appropriate, including an area proposed for annexation to the north of the town to take advantage of the location attractiveness of SR 1 and Route 13. The annexation of property north of Duck Creek east of US 13 in 2003 was specifically aimed at creating another business and employment center location.



SECTION 2 - GROWTH AND ANNEXATION PLAN

Smyrna's annexation plan recognizes the importance of coordination with the Town of Clayton, New Castle and Kent Counties, and the State of Delaware in planning for this growing region of the state. It also recognizes the importance of good design, efficient land use patterns, and orderly growth in achieving the shared goals of the region.

The annexation plan represents Smyrna's long term interest in growth in its environs. It is the area over which Smyrna seeks to influence future development. The Town feels strongly that if areas that are geographically, functionally and culturally part of the Smyrna-Clayton community are to be developed they should be an integral part of our community.

Annexation History

Smyrna has grown significantly by annexation since the last updating of the comprehensive plan. (A history of annexations since 1960 is included in the Appendix D, Figures 4, 4.1 and 4.2). In 1987, two parcels were annexed. One was a small residential area bounded by Commerce, Main, Howard and Upham Streets. The other was the property known as the Mitchell Farm, a 337-acre parcel located at the southern edge of town. The Mitchell farm has subsequently been approved for a variety of residential uses, commercial and industrial/office uses. It presently includes the Sunnyside Village and Bon Ayre developments.

In 1988, Smyrna annexed fourteen acres along U.S. 13 which currently houses a general clothing manufacturer. Two other blocks were annexed in 1989: one bounded by Howard and Mt. Vernon Streets and Smyrna-Clayton Boulevard; and another block bounded by Howard, Commerce, Lexington and Upham Streets. Both are zoned for residential uses.

Three parcels on the southwest corner of U.S. 13 and Belmont Avenue were annexed in 1990 and are now used for doctor's offices. A 22-acre parcel was also annexed in 1990. Three small residential annexations took place in 1991. In 1995, the 290 acre Brown Farm was annexed, one parcel of which is presently the Smyrna Business Park (previously named the Smyrna Industrial/Office/Research Park). The remaining parcels are in agricultural uses but were rezoned to industrial uses late in 2001 to accommodate a regional warehousing and distribution center. Also in 1995, four other parcels totaling 25.7 acres were added.

In 1996, two significant parcels were annexed: 35 acres now used for the Gateway North Shopping Center; and, 82.18 acres (six parcels) including Bombay Woods development and areas zoned for commercial uses. In 1997, the Staats propane gas storage and



distribution facility at Routes 6 and 300 was annexed along with 2.94 acres west of Route 13. In 1999, a 23,200 square foot vacant lot along Route 13, zoned for highway commercial uses, was annexed. The 190.3-acre Blendt Farm was annexed for education purposes in 2000. It is being used by Delaware State University for agricultural research and farm/open space. Also annexed in 2000 was the 51.9-acre Wick Farm located west of town and fronting on Sunnyside Road. The Wick Farm is zoned medium-density residential and development plans are now pending. A small parcel along Carter Road was also annexed that year.

Since 2000 the town has annexed about 1,075 acres north and south of town within the plan's defined growth area (Appendix D, Figure 5). The largest of these annexations were properties north of Duck Creek east and west of US 13, including over 166 acres for a business park, a 28 acre parcel owned by the town that is currently used as a landfill site but planned for future open space, and three parcels comprising over 296 acres designated for a variety of residential uses. To the south approximately 291 acres were annexed for future residential development. Other parcels were annexed filling enclaves along US 13 for commercial uses consistent with the comprehensive plan. Preliminary site plans and subdivision plans are under review and expected to be approved soon, clearing way for continued growth within the community.

Since 2006, Smyrna annexed approximately 194 acres within the defined growth area. To the south, approximately 75 acres were annexed for future residential development. To the north, along the Route 13 corridor, approximately 34 acres were annexed, filling enclaves and allowing for future commercial growth. Furthermore, 25 acres along Duck Creek Road were annexed for future residential growth and 42 acres to the east of Route 13 for a future employment center. An additional 9 properties, totaling approximately 5 acres, were annexed filling enclaves within Spruance City.

Potential for Growth

Smyrna's population has increased over time at a rate of about 1% growth per year since 1960, although that rate slowed somewhat in early portions of the last decade. While trailing the state and Kent County's growth rates, a number of external factors suggest that Smyrna may see substantially increased growth pressures in the near future. This Plan will direct growth to appropriate areas.

Growth in the last decade was limited in part by available sewer capacity in Kent County's regional system, on which Smyrna depends. Recent upgrades to that system now permit additional users. In fact, the County's approved wastewater plan envisions adequate capacity in the Smyrna-Cheswold portion of the system through 2020. The removal of the wastewater capacity limitation portends increased development pressure in the area and partly explains the significant increase in building activity in the last three years.



State Route 1 is now complete north of Smyrna and makes Smyrna a relatively easy commute to the I-95/Wilmington employment corridor, probably faster and with less congestion than exists north of the C&D Canal. This favorable location within acceptable commuting distance coupled with reasonable taxes and property costs makes the area very attractive to both skilled employees and new residents alike.

The construction of a Wal-Mart regional distribution center in Smyrna creates employment opportunities that could encourage employees to seek residences nearby. Wal-Mart's decision might have a synergistic effect on location decisions of other firms as well. Other economic development and tourism development efforts, including strengthening Smyrna's downtown commercial district and the completion of the Smyrna Opera House, hold potential to attract new business activity and residents alike. The construction of the 100,000+ square foot Smyrna Wellness Center in the downtown serves as part of the town's revitalization efforts. Christiana Care is the primary tenant, bringing high-level medical care and skilled employees to community and further stimulating the renewal of the central business district.

Both in the immediate area and south of town, major residential development projects are being undertaken. These projects suggest a growing interest in the northern portion of Kent County, by builders and buyers alike.

With the completion of both the Wal-Mart regional distribution center in the Smyrna Business Park and the Smyrna Wellness Center in downtown; the Town of Smyrna continues to attract both skilled employees and new residents alike. The Town's investment in the recent undertaking of a downtown streetscape project exemplifies the Town's commitment and continued efforts to strengthen Smyrna's revitalization.

Smyrna's Interests in Growth Beyond Its Borders

Development outside the Town's borders is highly relevant to Smyrna's comprehensive planning process because uses outside the town have economic and social impacts on the Town and the services that it must provide. Residential development outside the Town's boundaries can take place at relatively low densities as a matter of right under Kent and New Castle County's existing codes and ordinances. These residents benefit from and use municipal streets, recreation facilities and other services but do not contribute to their maintenance and expansion.

Scattered development outside the town's boundaries generally sets the character of future development, sometimes making it difficult to integrate such areas into the community at a later date. Extension of utilities and other public services becomes inefficient and difficult to provide, as well.



Insensitive and inappropriate development at the entrances to the community often create a negative image for the community, giving visitors a bad impression and thwarting economic development initiatives.

Therefore, as with other municipalities, Smyrna has often considered an annexation, regardless of its timeliness or impact on municipal services and plans, as a defensive action to ensure that future development is compatible with the Town's long range plans and vision and its ability to efficiently provide public services.

From a positive perspective, identifying long range growth areas allows the Town to better plan its future, influence land use and infrastructure decisions by other jurisdictions, articulate its vision, and manage its physical, financial and infrastructure resources.

It is expected that the Town will receive additional requests for annexation from adjacent developed and undeveloped areas to the north where adequate public services and utilities are not currently available. The Town of Smyrna desires to grow and prosper. Therefore, the Town of Smyrna will generally support and encourage annexation. Annexation fosters appropriate development patterns in the community, facilitates the efficient and timely extension and provision of public services and utilities, ensures that the Town has an influence on the type and scale of uses on its borders; and protects and enhances the community's prosperity, character, and identity.

Growth Planning Principles and Policies

Smyrna will seek to attract residential, commercial and business development that is compatible with the Town's heritage, character, goals and long-range plans; that supports the local economy; and that provides a wide range of housing, employment, cultural, and recreational opportunities to present and future residents. New growth through expansion of the town's boundary will be coordinated with county and state plans and strategies in order to create a proper balance between growth and the preservation of farmland and open spaces, ensure efficient use of resources, and provide maximum options for provision and funding of needed infrastructure. New development will be located and designed to integrate within the community, promote and enhance the community's character, and support the comprehensive plan's long-range goals. Annexation will be considered a tool to ensure good land use planning, help define the boundaries of communities, and promote efficiencies in public services; not simply as a way for the Town to expand its borders.



General Growth Strategies and Priorities

Properties that are fully or substantially surrounded by the Town of Smyrna, or jointly by Smyrna and Clayton, create operational and developmental obstacles and inefficiencies. These enclaves often receive or benefit from town services but pay no property taxes or fees to support the community. Often, as on-site water and wastewater systems fail, property owners seek annexation in order to obtain reliable public utilities. Unless there are unusual and substantial extenuating factors these properties should be annexed.

Properties adjacent to the town, whether developed or not, that would help to round out or rationalize the town's boundaries should also be considered on a case by case basis. Generally, these properties should be considered a priority for annexation if the expected service costs and other factors do not create an undue burden on the community.

Properties ranging from individual lots to large vacant tracts adjacent to the town are also candidates for annexation. Annexation of such parcels would allow the town to control their future use and development and offer opportunities for rational extension of municipal services.

These requests should be evaluated carefully against the potential economic benefit to the Town in terms of tax and other revenues, jobs, services or facilities expected; the desirability of controlling the type, intensity, and character of development in accordance with the Town's stated goals, plans, and ordinances, especially if development is imminent; the impact on the Town's services, facilities, utilities, and administrative staffs, and the extent to which such requirements will be provided by the developer or property owner; the timing of the development such that overall development and the provision of services occurs in a reasonable and orderly manner; and the property's location in respect to the Kent and New Castle County Comprehensive Plans' goals and the State of Delaware's Investment Strategies and Map (Appendix D, Figure 5).

Capacity and Phasing Considerations

The Town of Smyrna provides services to residents that have limited resources or capacities. All of these require long range planning to meet demands and develop the capacity to serve all users. The following are the services that the Town must consider when discussing growth and annexation:

Waste Water

One consideration relating to future annexation involves wastewater service. The Town



of Smyrna is served by the Kent County regional wastewater system, as are some developed areas between Smyrna and Cheswold. The Town of Clayton is also served by this system (Clayton's sewage is pumped through the Town of Smyrna). Individual, on-site water and septic facilities serve other developed areas in both Kent and New Castle counties. Smyrna utilizes Segment 1 of the system that extends from Smyrna to pumping station #2 at Denny's Road, north of Dover. This segment was upgraded in 1996-97 and includes both 24 and 30-inch diameter force mains. The Kent County system also serves the Delaware Correctional Center, DEMA and the Rest Area north of Town in New Castle County; this sewage is also pumped through the Town of Smyrna system.

Kent County's wastewater treatment facility is currently permitted at 15.0 million gallons per day (mgd) with a current flow of about 11.1 mgd, and with planned expansion (per the Kent County Wastewater Master Plan) to 21.1 mgd during the planning period. Additionally, pumping station 1 at Smyrna as part Segment 1 has a design flow capacity that is expected to be more than adequate through 2020 with no upgrades required. The County's wastewater plan also envisions addition of appropriate pumping stations south of Smyrna to accommodate development in the county-designated growth area. Therefore, wastewater capacity should not be a problem for future growth, although investment by the town in wastewater facilities (pumping station and collection system) may be required north of Duck Creek to service that area as it is annexed. Currently, there are preliminary plans for 3 new pump stations north of Duck Creek (2 on the proposed Watson Farm site and one regional pump station on the proposed KRM site) along with the acquisition of the existing DelDOT rest stop pumping station. All four of these pump station with receive flows from nearby gravity collection lines and convey the wastewater to the Town's existing sewer infrastructure south of Duck Creek ultimately flowing to Kent County's wastewater system.

Water

The Town of Smyrna owns, operates and maintains its own water utility including production wells, treatment facilities and distribution systems (Appendix D, Figure 9). The system includes four wells with a maximum combined production capacity of 3,100 gallons per minute, and 1,400,000 gallons of overhead water storage. The town's current allocation is 1,500,000 mgd, projecting future water use to increase an additional 400,000 gpd due to the anticipated growth over the next 10 years. One development in the southwestern corner of the town is currently served through an interim agreement with Tidewater Utilities until town services can be extended to that portion of town. Areas currently outside the town in Kent and New Castle Counties are served by individual wells, except for a few Town of Smyrna customers who are outside the current Town limits. An area near Garrisons Lake outside the town growth zone is serviced by Tidewater Utilities and another area south of the town's growth zone is serviced by Artesian Water Company. Growth north of Duck Creek, however, would require extension of the water system and possibly additional storage capacity as the



area develops. The current preliminary design for water extensions north of Duck Creek consist of a 12" water loop and a 750,000 gallon water tower on the proposed KRM site for immediate upgrades needed when buildings are constructed on the KRM site. Long term water upgrades north of Duck Creek include a second water tower west of Rte 13 and another town well with well house treatment facility. With the planned improvements water supply will continue to be adequate to provide fire protection through out the Town in accordance with the Delaware State Fire Prevention Regulations.

Electric

The Town of Smyrna owns, operates, and maintains its own electric system and is a partner with other municipalities through the Delaware Municipal Electric Corporation in the ownership of an electric generation facility located in Smyrna's Business Park. Electric service is provided throughout the Town. Most areas outside the town are served by either the Delaware Electric Cooperative or Delaware Power & Light. Electric capacity is adequate for all anticipated growth, although service area arrangements will need to be reached with other electric providers for extension of services into any newly annexed areas. A long range electric system plan has been completed to guide extension of this important utility. As proposed in the previous plan, the Town's electric system was upgraded to include a new substation.

Utility Users

When the comprehensive plan was prepared in 2002 there were a number of residential projects approved but not yet built on undeveloped lands that were already inside the town's boundaries. These projects were essentially completed by 2005 as was the construction of the Wal-Mart Distribution Center adjacent to the Business Park. Since 2002 additional parcels have been annexed for a number of uses, most of which are either under review or recently approved for construction.

The business/commerce situation is more limited as only a few sites remain in the Business Park. The large KRM annexation will help when the project is finally designed and comes online; however there are few other sites within the community to serve this need. New locations for business uses are essential to the long range economic health of the community and region. Because such sites need adequate public services (water, waste water, electric, police and fire protection, etc.) continued annexations of lands into Smyrna for the purpose are appropriate.



Other Planning Considerations

Broader community needs must be considered as the Town expands its boundaries. Among these is reservation of land for educational uses south of town when required by the school district. The Smyrna School District's facilities are located in Smyrna and Clayton proper. A new middle school opened in 2004 and other facilities have been upgraded and expanded, meeting the District's near term requirements. As mentioned in the previous plan, growth in the Smyrna School District required an additional elementary school to be constructed. Through coordination with a large development south of Smyrna, a school site was secured and donated to the school district. In 2008, the new Sunnyside Elementary School opened. Coordination with the School District as these areas develop is critical and needs to be part of the planning process by the Town.

Kent County has developed a regional park, Big Oak Park, southeast of Smyrna adjacent to but outside the town's designated growth/annexation area; however, other recreation, open spaces and continuous greenways areas should be required as part of future development. This is particularly critical in areas south of town where there are few natural features (streams, wooded wetlands, or other limiting factors) that would logically be part of an open space system. It is also critical north of Duck Creek to ensure both the protection of the waterway and to meet broader open space objectives. Coordination with Clayton and both counties in this regard is essential.

Other considerations include planning for future business and commerce zones to support the local economy and provide employment opportunities. A location north of Town to take advantage of the SR1/US13 access was annexed in 2003 and is now being planned as an employment center. Strategic annexation of existing enclaves of industrially and commercially zoned lands now outside the Town boundary is also critical. Such a strategy supports state desires to promote economic development where infrastructure exists or can be reasonably provided and where jobs can be available to area residents.

Finally, although the current system of roads and streets is generally adequate, significantly increased development will impact many existing collector streets and minor arterials. Continued coordination with DelDOT as growth occurs will be essential to ensure that appropriate improvements are made to existing roads as necessary, that new roads and streets are added to accommodate growth, that non-vehicular and transit options are provided, and that the potentially conflicting functional requirements of individual road components are resolved. (See the Transportation Plan, Appendix D, Figure 13)



Consistency with State Strategies and County Plans

In 1999, the State approved a set of growth strategies intended to direct future state infrastructure investments and to provide guidance to county and local governments regarding state review and consideration of their planning and land use control efforts. The towns of Smyrna and Clayton were designated as Community investment areas on the state's 1999 strategy map. The Strategy Map (Appendix D, Figure 5) was updated in 2010. The Smyrna area was designated as Investment Level 1, generally depicting areas with adequate infrastructure, compact development, an array of services, a variety of housing options, and a human, walkable scale.

The State Strategies Map, as revised, designates the area north of Duck Creek as an Area of Dispute, because at the time the strategies were updated legal issues involving Smyrna's growth to the north and the town's authority to provide sewer services were unresolved. A Superior Court ruling in January 2005 determined that the town had the authority to provide sewer services within its boundaries wherever those boundaries extended and that the town could properly contract with Kent County to treat sewage for the entire jurisdiction.

Subsequently the State, New Castle County and the Town engaged in negotiations to resolve the outstanding issues in order to allow the state to certify the plan north of Duck Creek and to permit growth as outlined in the town's plan. Generally, the agreement provided that the growth area initially set forth in the plan adopted in February 2003 was acceptable and that the Town will not seek to grow beyond that area until at least 2012. Additionally, the Town committed to working with the State to encourage good community design, to work with the State and New Castle County to create a green buffer around the growth zone, to develop and adopt source water protection regulations (adopted in 2012), to encourage an integrated commercial and mixed use development pattern along Route 13, and to fully utilize the PLUS process for ensuring intergovernmental coordination and to participate in the State and County planning processes in the future.

The State Strategies Map and Kent County's recently revised comprehensive plan envision a growth zone that includes the towns of Smyrna and Clayton, an area bounded on the east by SR1, and a zone to the west defined by proximity to the county's regional wastewater system. That growth zone extends south to Dover and beyond. Future growth through annexation by Smyrna to the south (north of Brenford Road and west of SR1) in the Kent county-designated growth zone to support new development is fully consistent with the state strategies and the Kent County comprehensive plan.

The 2002 comprehensive plan initially designated areas south of Brenford Road as part



of the future growth area. Consistent with an agreement with Kent County, the areas south of Brenford Road were designated as “areas of concern” but not included in the town’s annexation zone. These “areas of concern” were removed in the 2010 update, however, they have not been included in the town’s annexation zone. The Town does not preclude reconsideration of these areas with the County and State as part of a subsequent update of the comprehensive plan.

The town also excludes properties adjacent to the railroad that are included in the State’s agricultural lands preservation program. The Town will continue to ensure that residential developments adjacent to the preserved farmlands will be made aware of the preservation status, including the required setback and notice requirements, to minimize the potential for conflicts between accepted agricultural activities and other uses.

Since 2002 the Town has annexed most of the properties south of Sunnyside Road and north of Brenford Road for residential uses and an elementary school site.

Future Growth Areas and Recommended Uses (see Figures 3, 3-1, 3-2, 3-3, 3-4)

Spruance City and Route 300

This area has developed outside the Town’s boundary under limited county development requirements. The area is predominately single family residences, including mobile homes, modular houses and stick-built dwellings, with the majority of the development occurring in the middle of the past century. Individual on-site water (well) and septic systems, many of which are now failing, serve the residences and businesses in the area. The Town regularly receives requests to annex properties on a lot-by-lot basis in order to access Smyrna’s public utilities. In terms of geography this area is, for all practical purposes, part of the Smyrna community.

While annexation to address public health needs is appropriate public policy, the existing development falls short of meeting current Smyrna development codes and may result in greater public service demands than are likely to be recovered through revenues. Nevertheless, this enclave of development should be part of the municipality and annexation should be considered as requests are received. A small number of parcels on the northeast and southeast sides of Route 300 near the Smyrna Business Park and along Glenwood Avenue east of the Route 6 intersection should continue to be considered for annexation. These annexations must be consistent with Clayton’s desires in this area as well.



Colmar Manor, Cedarbrook, S. Carter Road, east and west along Sunnyside Road

This area of single family houses was developed primarily in the last half of the last century; all are served by individual on-site water and wastewater facilities. With recent annexations, the area is increasingly an enclave surrounded by the Town of Smyrna. Inclusion of this residential area in the town is desirable from both a community structure and utility efficiency standpoint and should be considered as a priority as requests are received. The area also includes a parcel for which an annexation request was approved. Also an enclave, this area was annexed upon request in order to ensure appropriate development of the vacant areas and to facilitate efficient extension of municipal services. The undeveloped portions of this area should be developed for single family residential uses, consistent with Smyrna's codes, ordinances, policies, and plans.

The U.S. Route 13 Corridor Frontage

Smyrna's town boundary is irregular and broken along the Route 13 Corridor by a number of parcels not included in, but surrounded by, the community. Some of these are vacant, a number are used for residential or highway-oriented commercial uses. This inconsistent boundary creates service delivery and emergency response questions, results in inconsistent application of development standards, and weakens Smyrna's community identity. Recent annexations have filled in a number of these enclaves, but all the properties north of U.S. 13/Carter Road intersection should be included in the town and used for commercial and residential purposes in a manner consistent with the comprehensive plan. No services should be extended to these properties unless and until they are annexed. An issue in this area involves electric service, as many of the outlying parcels are customers of Delaware Electric Cooperative (DEC). Annexation might require negotiations between the Town and the DEC for purchase of the service to these customers. The Town should evaluate these costs carefully if annexation is requested.

South and Southwest of Town

This area encompasses largely undeveloped lands south and southwest of town along Sunnyside Road west to the railroad and south to the vicinity of Brenford Road. The areas are now in various agricultural uses and are identified as part of the County's growth zone.

These areas have been identified by the State as Investment Level 1 and 2 areas and are within Kent County's designated growth zone. Development pressures are already obvious in the vicinity of Garrisons Lake, including new residential developments under construction along Brenford Road near the railroad on the westerly edge of this zone. The potential for development under Kent County regulations (large lot single family



residential subdivisions with on-site utilities, especially community septic systems) is increasingly imminent in this portion of the county.

Such development outside town's limits would generate demands on town services, especially streets and recreation areas, without contributing to the town's revenues. Development under county regulations would fall short of the requirements that would prevail inside the town. Annexation after development would create non-conforming developments or result in an impact on town services.

This area is a logical extension of the town. Residential uses, preferably in a compact or clustered style with a mix of housing types and perhaps limited neighborhood supporting uses is appropriate. Such development should reflect the style and character of the community and be linked to the town through a network of streets, sidewalks, bike paths and greenways. The railroad, interests of the Town of Clayton, and an existing agricultural preservation district provide a logical boundary to this area and the community.

North and South of Duck Creek

Except for a small area, Smyrna's historic boundaries did not extend north of Duck Creek/Smyrna River into New Castle County. This area includes some parcels south of Duck Creek along Duck Creek Road, but is primarily comprised of undeveloped land and scattered development in New Castle County north of Duck Creek. This area was identified in the 2002 plan but was not certified by the State due to opposition from New Castle County and the State, and questions involving the provision of sewer services by the Town that would ultimately be treated by Kent County's regional system. Since the 2002 plan the legal matters relating to sewer service have been decided and a multi-party agreement relating to future extension of the growth area, environmental protection and other matters has been executed.

Prior development decisions along Route 13 south of the Rest Area, Smyrna's gateway from the north, have resulted in a mix of mostly commercial activities that do not give a favorable image to the Town. Most visitors and residents alike believe that the area from the Rest Area to Duck Creek is part of the town. In fact, the State's SR1 signage appears to direct visitors to the Smyrna Rest Area.

Public safety and utility services for the area by Smyrna make sense in the context of Smyrna's future growth. The Town believes that these areas should be part of Smyrna's future, to include business/commerce and appropriate highway-oriented commercial uses along the SR 1-US 13 corridors and well-designed low and medium density residential in the balance of the area with protection of critical natural resource areas being a priority.



Annexation of these areas to properly manage and utilize the corridor portions of the area for business/commerce and highway oriented commercial uses is a high priority. Such annexations should be considered where they would be efficient to service, where state and municipal economic development objectives are met, and where the exercise of municipal controls would allow the Town to influence the design, character, and intensity of land uses at Smyrna's northern entrance.

The Town's desire is to create an attractive gateway to the community from the north that includes a mix of traditional highway commercial uses with offices, service and light industrial activities. The Town desires this section of the roadway not be a proliferation of typical roadside uses with inherent problems of appearance, individual access to uses, congestion, and limited multi-modal opportunities. Existing uses include gasoline and vehicle services, used car sales, antique stores, convenience stores and a number of others. The Town would like to see the area include professional offices, other retail and general business activities and light industrial or distribution uses with shared highway access as well.

The Town is continuing to develop a new hybrid zoning classification for the area that permits existing uses to remain, although some might be grandfathered as non-conforming uses, while permitting new uses not otherwise listed in the current highway commercial zone. Additionally, the Town is working with the Dover/Kent MPO on a Route 13 commercial corridor concept plan to develop a vision for the roadway and a set of recommended improvements addressing safety, appearance, access control, and non-vehicular concerns.

Areas East of SR 1

Some areas east of SR 1 (i.e., Smyrna Landing and the Smyrna Correctional Facility) are frequently considered to be part of the community in one sense or another and might be areas to be considered for annexation (for example, the correctional facility is served by a wastewater line that runs out Smyrna Landing Road from the town).

Nevertheless, the state and county development plans and strategies discourage development east of SR 1. A large agricultural preservation district, the recent acquisition of the Blendt Farm for use by Delaware State University, and a Kent County regional park limit development in part of the area. The Town supports these strategies and, being consistent with state and county strategies and considering the distance from the town, these areas are not considered as candidates for future growth or annexation at this time.



SECTION 3 - COMMUNITY DESIGN

Smyrna's comprehensive plan and development policies recognize that good design is a function of how places meet the varied needs of our residents for home, work and play. Good design might not be simply the result of application of engineered standards to the development process. According to the Better Models for Development in Delaware, the foundations of good design are opportunities for people to explore, develop, manage, enjoy and maintain safe and comfortable relationships with their environment, their neighbors, their neighborhood and their community at large. The goal is to achieve that sometime elusive quality of place. These fundamentals are expressed in how the design of the project addresses the unique features of the site, how it relates to the scale and character of the surrounding community and neighborhood, the way pedestrian and vehicular requirements are met, and a number of other considerations.

The Town also recognizes that notions of what is appropriate or good community design are the result of the particular social, economic and cultural conditions of the time. Smyrna is a historic community with its core reflecting values and conditions of a closely knit and tightly clustered, walkable community of the mid-eighteenth century. It is also a contemporary community reflecting the characteristics of the high technology, highly mobile 21st century. Smyrna is committed to protecting and enhancing its history and heritage through design standards that minimize the loss of those unique resources; but it is also committed to ensuring that new development and, where appropriate, redevelopment projects are part of the community, reflect the special character of Smyrna, are sensitive to the land resources, and provide the opportunities for our residents to build safe and comfortable relationships with their environment, their neighbors, their neighborhood and their community.

The continuing goals for Smyrna and its environs include the protection and enhancement of the Town's considerable aesthetic and historic assets, the encouragement of well-designed, small-scale, cluster development, as well as the enhancement of its image through visual improvements to commercial development along Route 13.

The existing image of the Town, unfortunately, is often largely formed by the appearance of the frontages along Route 13. Elsewhere in the Town, especially in its historic district and its park and recreation areas, the Town exhibits a positive visual image which should be protected and enhanced, serving as a guide for future development and, in turn, serving to increase demand for all land use types in the Town.



The policies which support these goals and issues include:

- The development and enforcement of regulations governing strip commercial and shopping center uses along the Route 13 corridor, particularly in the area located north of Duck Creek,
- Renewed attention to upgrading the condition and appearance of the downtown, primarily through streetscape improvements such as the burying of overhead utility wires, consistent decorative paving, as well as street furniture and landscaping,
- And the adoption of a Historic Preservation Ordinance, including the development of design guidelines and review processes for the Historic Preservation Overlay District in an attempt to preserve and promote the Town's historic character.

Furthermore the Town has developed cluster development design guidelines and related options for more compact developments, as well as working with developers to promote the elements of good community design in new projects by offering incentives for superior design.

Common elements of superior design include:

- Compact form that encourages walking
- Streetscape designed for pedestrians
- Building set close to the sidewalk
- Narrow, connected streets
- Neighborhood parks and open spaces
- Mix of housing types and price ranges
- Architectural variety and diversified landscaping
- Compatible non-residential uses, including schools and neighborhood retail

As part of its on-going planning process, the Town will continue the refinement of its zoning code and subdivision ordinance.



SECTION 4 - INFRASTRUCTURE AND COMMUNITY FACILITIES PLAN (PUBLIC FACILITIES)

Public Services

The goal for public services is to optimize efficiency in the provision of public services through proper management of existing facilities and careful planning of physical expansion (Appendix D, Figures 8, 9, 10 and 11). Policies governing the extension of public services can be an effective mechanism to control location, density and type of growth. The Town's policies to limit the extension of utilities to outlying lands ("leapfrogging") may well encourage the annexation of more immediately adjacent areas.

Policies supporting these goals include:

- a. The Planning Commission shall carefully review all development proposals to determine their proximity to and probable impact on public service systems to ensure that adequate facilities are provided as development occurs.
- b. Cluster and mixed-use development of all land uses will be encouraged where appropriate through zoning regulations and design controls to promote greater efficiency in the extension of public services.
- c. The Town must encourage development of infill sites by all available means in order to make efficient use of the existing public service infrastructure serving these areas.
- d. The Town should develop and follow a specific phased capital improvements program directing the extension of public services into those areas most suitable for development as delineated in the Comprehensive Plan.
- e. Continued maintenance and upgrading of existing infrastructure is also critical to ensure quality services to current residents and to provide the needed backbone for future extensions of services to new development.

A primary means of controlling and channeling the growth of the community exists in the direction and timing of extensions of the three principal service networks: transportation, sewer, and water systems. Smyrna has an additional municipally owned utility system in its electric distribution system, an unusual asset for the Town and a service system that is not traditionally covered in a comprehensive plan. On the assumption that the Town would profit from further extensions of its electric service beyond the capital outlay, it should be assumed that, whenever this plan recommends



extension of water and sewer facilities to a new growth area, electrical service by the Town of Smyrna would be included automatically. The electric system is being upgraded to include a new substation, additional primary distribution circuits, and other improvements in accordance with the town's electric system plan prepared in 2004.

Sewer Facilities

Sewage treatment for the Town of Smyrna, as well as the Town of Clayton, the Delaware Correctional Institute, the Delaware Emergency Management Agency's facility, and the Smyrna Rest Stop/Visitors Center on Route 13, is provided by Kent County. The Town provides service to approximately 3400 customers generating about 300,000,000 gallons of sewage annually for treatment by Kent County. The Town has an agreement with Kent County (signed August 1996) that commits the County to treat all sewage generated within the municipal boundaries of the Town. A recent Superior Court decision affirms that sewage generated from the New Castle County portion of the Town can also be treated by Kent County's facility. The Kent County agreement does not place any limits on the maximum amount of sewage that the County will accept from the Town, however, the Town and County are required to annually review and update the expected flows so that the County can plan for future capital investments.

The maintenance and extension of sewer lines within the present Town limits and within any areas to be annexed is entirely a Town of Smyrna responsibility. A review of the sewer system was conducted in 2004 and determined that the system, including mains and pumping stations, were in reasonable condition and adequate for future growth with planned maintenance and anticipated capital investments to serve growth. The Town's electric utility is profitable to extend. Sewer and water service, however, is often a break-even proposition for the Town. However, policy regarding extension of water and sewer into areas being considered for annexation should take a second priority to the overall planning and fiscal concerns of the Town. New developments in future growth areas will add to the tax base and will also allow for control of growth which might otherwise not follow patterns recommended by this Plan or be to the Town's benefit.

Areas not approved by the property owner for annexation or areas developed in the county without Town sewers can inhibit annexation in that direction in the future. But, such areas may still result in the need for town or other public entity services at a later date when individual sewer or water systems begin to fail.

With recent upgrades to Kent County's sewer transmission system, the only constraint to extension of sewer lines within the Town or its proposed growth area to the south is local topography. Areas where topography does not permit gravity flow, new lines would need to be provided with lift stations. This can be a constraint to small-scale development but should not restrict the development of larger tracts or consideration of



annexation to meet the Town's goals and growth requirements. The Town routinely coordinates with the Kent County Engineer and the County's Sewer Advisory Committee to preplan central wastewater collection systems to service our growth area

New Castle County does not provide sewer services to the areas north of Duck Creek. Hence, the collection system and any associated pumping stations or other facilities will have to be provided by the Town for future development. The State-owned sewer facility that serves the Rest Area and DEMA appears to have capacity to serve the State's needs but is not available to serve development in the community. The Town completed a preliminary water and wastewater facility plan in 2003 and has approached the State with a plan to take over responsibility for the pump station and the force main that currently serves the Rest Area and the DEMA facility. All upgrades to the pump station are completed and the final agreement is ready to be signed allowing the Town to take over the lines and pump station and expand the Town's sewer system utilizing the present force main. Legal issues associated with extension of the Town's sewer services north of Duck Creek were resolved in 2005. Treatment of wastewater will be provided by Kent County's regional facility for any growth within the Town's future boundaries in New Castle County.

Water Service

The Town recently added a fourth well, upgraded treatment facilities and constructed a new 800,000 gallon storage tank to ensure its ability to meet the needs of desired industrial uses and a larger future population. The combined elevated storage capacity available to serve the community will be 1.4 million gallons. Detailed assessments of the water system (and the sewer system as well) were completed in 2004. Overall designs for future expansion of the system, including extensions to the north, are underway. Additional supply and storage capacity may be needed as the community develops. Extensions of the present system will be needed within each new subdivision or planned business/commerce or industrial/office/research sites as these areas develop.

Community Facilities Plan

The goal of this portion of the plan is to provide a full range of facilities for the needs of the existing and future Town residents.

Policies supporting these goals include:

- a. Provide improvements to community and recreational facilities in an orderly fashion by including them in the Capital Improvements Program in accordance with the town's growth and development goals and budget capacity.



- b. Locate new parks, school recreation areas, fire, and police facilities to be convenient to residents and to enhance economic development in the community.
- c. Community and recreational facilities should be combined to maximize their use and minimize expenditures and protect otherwise sensitive areas (Appendix D, Figures 6 and 7).

Town of Smyrna Facilities

Anticipated population increases and planned growth patterns indicate the need for major new community and recreational facilities as growth occurs.

The present Town Hall, built in 1976, was expanded and upgraded in 2003 to accommodate additional administrative staff and public services through the planning period. With the anticipated Town growth, at some point the Town's administrative needs will require additional space to accommodate offices and parking requirements. Additional parking is being developed adjacent to Town Hall and additional land is being acquired in the near future for that purpose.

Both the Public Works and Electric Department complexes on Glenwood Avenue and School Lane had become inadequate for present needs and had approached the point of serious deterioration due to age. Construction of a new facility to house both Public Works and the Electric Department has been completed in the Town of Smyrna Business Park.

The Smyrna Police Department had been operating from cramped and inefficient facilities for many years. A new police station was constructed in 1988 on Glenwood Avenue adjacent to the former Town Public Works complex, however this facility is already becoming overcrowded for immediate and future needs. The current plan is for expansion and renovation of the present Police Station with possible use of the former Public Works Building .

As part of its long-range planning activities, Smyrna is carefully considering the full extent of its present and future service needs, including planning for additional staff, equipment and facilities. A growing community creates demands in all three areas. A satellite fire service and/or library site may be needed at some point to service growth areas. Opportunities for consolidation and relocation of existing facilities are being explored. Needed future administrative space is being examined in the context of other community goals, such as support for revitalization of the downtown.



Fire Protection

The Citizen Hose Company's fire hall is also adequate at this time but future expansion and reconfiguration of the current site is anticipated. As stated in the previous plan, an elevated water tank on the Fire Company property was removed when the new water tower along Glenwood Avenue was put into service. As a volunteer system, the Fire Company is dependent upon a volunteer population within close proximity to the building to respond to alarms both day and night. Accessibility to future growth areas is a growing concern during the planning period. The Town is working with the fire company to identify potential satellite locations.

School Facilities

In 2012, 5,116 students were attending schools in the Smyrna School District. The District School Board included 5 members and one student representative. Seven schools are in full operation: Sunnyside Elementary School, Clayton Elementary School, Clayton Intermediate School, Smyrna Elementary School, North Smyrna Elementary, John Bassett Moore Intermediate School, Smyrna Middle School, and Smyrna High School. The Main Street office now houses Special Services and the recently remodeled Thomas D. Clayton Education Center now contains the Central Office.

The mission of the Smyrna School District is to ensure that the students of the community are prepared as effectively and efficiently as possible to become responsible and productive citizens possessing the knowledge, the problem-solving skills, and the positive attitudes to adapt to and function in an ever changing environment. The District supports the Smyrna community values of responsibility, respect, compassion, integrity, and perseverance.

The District completed renovations to its six school buildings, all of which are community-based in Smyrna and Clayton. These renovations are designed to last for the next thirty-year period and include air conditioning, heating and plumbing systems, new windows and doors, additional classrooms, and security systems. New athletic and recreational facilities are included in some of these projects as well, adding to the community's inventory of recreational and open spaces. A new 700 student middle school opened in the fall of 2002. These buildings are intended to enhance the present educational facilities and eliminate and remove disconnected modular classrooms but not to accommodate a large population growth such as is being experienced in Smyrna and throughout the district. Additional land for school sites in plots of about 20 acres (for elementary schools) will be a critical planning issue in the future. The Town and the District, with support of the State, are engaged in regular planning discussions to ensure that school facility needs are adequately addressed in the Town's comprehensive plan and growth strategy. The 2002/2003 Land Use Plan identified the location for a new elementary school site in the proposed growth area south of Town. The land was set aside and donated to the Smyrna School District and the new facility was opened in the



fall of 2008. The Clayton Intermediate School opened in 2012. The previous plan also identified planned renovations at the Smyrna High School and Middle School which are now under construction to accommodate expected growth in Smyrna, Clayton and surrounding areas.



SECTION 5 - TRANSPORTATION PLAN

The primary goal for circulation is to achieve a safe, efficient, pleasant, multi-modal circulation system utilizing vehicular, transit, bicycle, and pedestrian travel.

Policies supporting these goals include:

- a. Establishment of a clear classification of roads intended for different purposes and design and management of these roads in areas of new developments in keeping with this classification system.
- b. Review of all development proposals for appropriate vehicular access and for potential traffic impacts on the surrounding road network.
- c. Work with the Delaware Department of Transportation and the Dover/Kent MPO to plan and develop a transportation system for the town and its surrounding region including serving new development, accommodating increased business-related traffic, and improving the appearance and functionality of major highways running through the community.
- d. Develop a plan for a network of bicycle and pedestrian paths traversing the Town, using existing streets, other rights-of-way, and systems provided in conjunction with new development.
- e. Continue implementation of regulations requiring sidewalks or other suitable pedestrian paths in all developments.
- f. Work with the Delaware Transit Corporation (DTC) to ensure efficient transit services and facilities serving the town.

Transit Alternatives and Facilities

The dominant mode of transportation in Smyrna is the automobile and this may be expected to continue in the foreseeable future, although the town is served by DART's regional service and efforts are underway to better integrate that service into the town. While the community will remain below the size that would be needed for a full service local public transportation system to be cost-effective, the plan recommends that a transit study be undertaken to better define potential services. Unfortunately, the town was informed by Carolina Trailways and Greyhound bus companies that regular commercial bus services on the peninsula, including to Smyrna, are being discontinued. Thus, the roadways represent the primary component of the transportation plan for the community with bikeways and walking trails adding to the transportation options.



Transportation Facilities

Transportation issues in the Smyrna area include recognizing the changing character of Route 13 through town, the impact of economic development activities at the Business Park/Wal-Mart sites, pedestrian and appearance improvements in the historic downtown, safety and access issues along Duck Creek Parkway and North Main Street, long range planning for road improvements in the town's designated future growth areas, and broader regional transportation concerns.

The primary goals of the roadways plan element are to develop a complete and coordinated area wide road system which will facilitate anticipated and desired growth, to provide for safe and convenient movement of goods and people throughout the area, and to minimize conflicts between automotive and pedestrian movements and between higher speed and lower speed vehicular movement.

To achieve these goals, the following actions are recommended:

Planned improvements

The only highway project in the Smyrna area currently planned by the Delaware Department of Transportation (DelDOT) is the upgrading of Carter Road from Sunnyside Road to Route 300 and traffic improvements to Route 300/Glenwood Avenue. The Carter Road project includes traffic and pedestrian improvements necessary to meet the area's overall needs while minimizing impacts on the adjacent residential neighborhood.

Proposed improvements

1. Improvements to Existing Streets and Roads

Duck Creek Parkway and North Main Street Extended - Duck Creek Parkway and North Main Street Extended are heavily impacted by the location of three educational facilities and a number of extensively used recreational facilities. Paved shoulders, sidewalks, bike paths, designated crosswalks, widening, and other improvements are essential to ensure public safety and accommodate the many uses of these roadways. In 2008, the Town, working with the Smyrna School District, received funding for improvements to North Main Street Extended from the "Safe Routes to School" program.

Sunnyside Road - Sunnyside Road serves as a local collector between Route 13 and Carter Road, as well as to areas further west. The road also serves the Delaware Hospital for the Chronically Ill which has extensive land upon which to grow. If the growth of this institution or satellite institutions located at this site is substantial or if development in outlying areas occurs as expected, widening, addition of sidewalks or other



improvements may be needed. Portions of this road are not within the Town's boundaries, necessitating State improvements to the extent not required by developers as part of development projects.

Downtown Street Network - revitalization of the historic downtown is contingent upon a series of appearance and safety improvements, some involving state-maintained roads. These improvements to enhance the appearance and safety at the intersection of Main and Commerce Streets are presently underway; with Phase One of the streetscape improvements (from South Street to the Commerce Street) have been completed. These improvements involve reconfiguration of the Main Street/Commerce Street intersection to improve its appearance and public safety, streetscape and street furniture improvements, general landscaping, improved signage, and additional public parking. Expanded parking is being developed and concept plans are being discussed for a parking structure as the Smyrna Medical Arts/Christiana Care medical complex evolves.

Brenford and Rabbit Chase Roads – both of these roads are being upgraded and rebuilt as a function of development in the area. Working with DelDOT and the developers Rabbit Chase Road, which will eventually become a town street, is being designed with urban boulevard features, including medians, pedestrian/bikeways and landscaping. Brenford Road is being upgraded with turn lanes, shoulders and pedestrian/bikeways as well to increase its capacity and improve safety. Further more, upgrades have already begun on the southern portion of Rabbit Chase Road.

2. Commercial Corridor Studies and Corridor Improvements

Route 13 Improvements - Route 13 through town (from the SR 1 interchange at the north to the SR 1 interchange at the south) was once the primary transportation facility in the area, and its design and construction reflected the need to efficiently move large volumes of traffic. With the construction of SR 1, Route 13 has become more a community-focused roadway. While serving regional needs, it functions as and is managed from a traffic safety standpoint more as an urban boulevard serving local commercial and other community needs. Additionally, development of residential areas to the east coupled with the location of schools and other community amenities on the west has increased the potential for traffic/pedestrian conflict and injury. The road's excessive paving and concrete islands, with their lack of landscaping and proliferation of signage, creates an unattractive and hostile element within the overall community and certainly in its core. Smyrna's comprehensive plan and annexation element recognize the importance of Route 13 as a transportation facility but call for improvements, consistent with a Commercial Corridor Concept Plan developed with the Dover/Kent MPO, to make the roadway better fit the community's character and goals. The town seeks improvements that increase public safety, especially for pedestrians, enhance the roadway's appearance, better manage the access to the commercial uses, and efficiently manage traffic, including truck traffic associated with Smyrna's employment centers. A



project to enhance landscaping along the southern portion of Route 13 was completed in 2008; future projects to better manage the access and aesthetics of Route 13 are planned.

Glenwood Avenue Improvements - Glenwood Avenue/Route 300 has become the major east-west transportation corridor through the town, a function that will become more important with the increased truck traffic to be generated by uses at the Smyrna Business Park to the west and continuing development west of the Town. Glenwood Avenue was rebuilt in 2003, although some intersection improvements are still desired to improve safety.

Recommended Planning studies and other actions

1. Southern Development Area Study - The Town encourages DelDOT and the Dover/Kent Metropolitan Planning Organization (MPO) to undertake studies of current and future issues and develop plans to address the potential impact of future development in the areas adjacent to the community, including Sunnyside, Rabbit Chase, and Brenford Roads.
2. Transit Study – DelDOT, the Dover/Kent MPO, and/or the Delaware Transit Authority (DART) should initiate a study of potential local transit service in the community, especially to link the developments on the east side of Route 13 to shopping, educational, recreational and community uses on the west side of the road. Such a study should also explore connection to the DART regional service once it is relocated to the historic downtown. Given the compact nature of the town's development and the existing street system, a simple loop system would appear to be feasible and efficient.
3. Bicycle and Pedestrian Plan - Although a number of bicycle and pedestrian facilities have been added in recent years and others will be developed as various projects are completed, there is no overall bicycle and pedestrian plan for the community. With assistance from DelDOT, this planning effort needs to be addressed in the near future.
4. Park & Ride Plan - Perhaps as part of the broader southern development area study or as part of a transit plan, consideration should be given to identifying and developing potential locations for both local and regional park and ride facilities. Many Smyrna residents commute to areas north and south of town (Wilmington and Dover, for example) for employment. Car and van pool usage reduces traffic congestion and air pollution, but opportunities for safe and convenient parking of private vehicles are important for such options to be effective. The Smyrna Rest Area serves this need to some degree but designated park & ride sites near or inside the town does not exist. Most commercial uses specifically prohibit



extended parking on their lots. More localized opportunities might also occur as larger employers address the land area and other requirements for meeting the parking needs of their employees. The Town is served by DART's scheduled services and a new weather-protected bus shelters and parking area have been completed on Route 13 at Mt. Vernon Street.

5. Local Ordinances – The Town has the ability to enact ordinances that will limit the degradation of the local transportation system. Local actions to facilitate mobility while minimizing conflicts between various uses of the transportation system include developing new zoning classifications, other regulatory approaches to enhance the appearance of the town's northern gateway, adopting official street designations, and providing signage.



SECTION 6 - HISTORIC AND CULTURAL RESOURCES PLAN

Smyrna's character is established by its historic setting along Duck Creek and the extensive architecture remaining from its earlier Colonial and Victorian periods of development. As documented by the University of Delaware's Center for Historic Architecture and Design (CHAD), Smyrna represents three rather distinct development periods: a historic core dating from the 1700's with a later period of growth in the late 1800's and into the early 1900's; a post war period of development from about 1950-1980; and a more recent period of growth. The historic core reflects a traditional grid pattern which allows for a predictable, readable, and pedestrian friendly street pattern.

This traditional grid pattern also is quite effective at integrating adjacent neighborhoods and communities and allows for connectivity to the downtown/historic core. However upon moving into the second generation of development, the dense and readable grid pattern of the historic core begins to dissipate, though it is not completely lost. Streets are markedly wider (i.e. Lake Drive) in order to accommodate both larger lot sizes and ample space for on-street parking on both sides of the street. Several alleyways are present, providing access to many driveways and obscuring utility poles.

The historic core dates from the early 18th century but has a predominately 19th century appearance, characterized by a distinctive, well-preserved largely intact collection of Victorian, Italianate and Folk Victorian business and residential structures, some of which reflect the tendency to modernize earlier structures to meet the then more current notions of design. Smyrna's mid-to-late 20th century neighborhoods are well defined by clearly readable borders through a variety of architectural, density, landscape and design features; especially major roadways. These neighborhoods are characterized by single family detached dwellings, for the most part, on lots generally greater than 1/4 acre, reflecting the ranch style and other popular building types of the 1950's, 60's and 70's. The street network remains consistent with the hierarchy of types found in the older sections but streets are markedly wider, sidewalks are often not provided, blocks are longer and intersections fewer.

CHAD noted that Smyrna's historic character reflects a number of strengths, among them: strong street pattern; several well defined neighborhoods; a highly walkable downtown; several inviting public and civic spaces; a variety of housing types; and a well maintained architectural character, particularly in its historic core.

While some of its historic downtown has suffered from neglect and loss, Smyrna's National Register Historic District contains almost 500 residences and businesses, many of which have been carefully restored. The historic Opera House which also houses the Smyrna Library has been restored to its original splendor. The formerly vacant Scott Nursing Home has undergone complete renovation into five condominiums. The town's heritage continues to be part of its charm and appeal to



residents and visitors alike. And, at the opposite end of the spectrum, a late 20th century former drug store has witnessed a rebirth as a conference facility (The Delaware Pharmacists' Educational Center).

In July of 2003, an ordinance to amend the Town Code of the Town of Smyrna by adding a new Chapter 19 entitled "Historic Preservation Ordinance" was adopted. The purpose and policy of this ordinance was declared to be a matter of public policy that safeguarded the heritage of the Town, and would preserve and protect structures and districts having historic, architectural, cultural, and aesthetic values, which are in the best interests of the citizens of the Town of Smyrna.

A Historic District Overlay Zone has been established specifically to include the street frontages on both sides of the street, whether occupied by a structure or not, as follows:

- E. Commerce Street from Main Street to East Street
- W. Commerce Street from Main Street to Union Street
- Market Street Plaza from Commerce Street to South Street
- N. Main Street from Commerce Street to North Street
- S. Main Street from Commerce Street to South Street, and also including the property of the Smyrna Opera House and Library

The Overlay Zone also includes the structures at each corner of East Street, Union Street, Delaware Street, North Street, Mt. Vernon Street, Market Street Plaza, and South Street at their intersections with Commerce Street or Main Street.

In August of 2005 Mayor and Council approved an extension to include those properties listed on the National Register of Historic Places located on the following streets to be included in the current Historic Preservation Overlay District:

- West Mount Vernon Street from North Main Street to North High Street
- West Frazier Street from South Main Street to South School Lane
- Union Street from West Mount Vernon Street to West Frazier Street
- School Lane from West Mount Vernon to West Frazier Street
- West South Street from South Main Street to South School Lane
- Delaware Street from West North Street to West Frazier Street
- North Market Street from West Mount Vernon to West Commerce Street
- Houses fronting Cummins Street from South High Street to Market Street Plaza
- Houses fronting Mulberry Street from South School Lane to South High Street
- West Commerce Street from Union Street to South High Street, and also including the property located at the juncture of West Commerce Street,



- Smyrna-Clayton Boulevard and South High Street
- South Main Street from South Street to Lake Drive, also including those properties located on the east side of South Main Street from Lake Drive to Mill Street.
- The property located at 215 North Main Street

This extension of the District shall also include the corner lots located at the intersections of the following streets (whether occupied by a structure or not)

- North High Street and West Mount Vernon Street
- South High Street and West Commerce Street
- North School Lane and West Mount Vernon Street
- North School Lane and Peterson Street
- South School Lane and West South Street
- South School Lane and West Frazier Street
- South School Lane and Anthony Lane
- South School Lane and West Cummins Street
- South School Lane and Mulberry Street
- School Lane and West Commerce Street
- North Delaware Street and West North Street
- North Delaware Street and West Mount Vernon Street
- South Delaware Street and West Cummins Street
- South Delaware Street and West South Street
- South Delaware Street and West Frazier Street
- Delaware Street and West Commerce Street
- North Union Street and West Mount Vernon Street
- Union Street and West Commerce Street
- South Union Street and West Cummins Street
- South Union Street and West South Street
- South Union Street and Anthony Lane
- South Union Street and West Frazier Street
- North New Street and West Mount Vernon
- North New Street and Smyrna-Clayton Boulevard

Chapter 19 of the Town Code also created a five member Historic Review Board (HDRB), appointed by Mayor and Council. The Historic Review Board is a valuable asset to the community and the homeowner, offering helpful advice on options of which the homeowner may not be aware. Their collective advice can protect homeowners from undertaking projects which may decrease not only the historical value but also the resale value of their most important asset, their homes.



Design standards have been created for use in the Historic District Overlay Zone. The goals for the standards are to provide assistance to property owners prior to appearing before the Historic District Review Board with their plans. The standards outline expectations that the Historic District Review Board will have for renovation or construction proposals and assist property owners with making appropriate choices for renovations or repairs to buildings located within the Historic Preservation Overlay District. New construction or any changes to the exterior of buildings in the overlay zone must also be approved by the Board.

Neglect and inappropriate conversion continue to threaten the Town's historic resources. Adoption of the Historic Preservation Ordinance, the creation of Façade Improvement Matching Grant Program, which provides incentives for preservation and restoration, marketing of the community's history and heritage, and other approaches are an integral part of Smyrna's planning and development strategy. Both commercial and residential properties located within the Historic Preservation Overlay District are eligible to participate in the Facade Improvement Matching Grant Program.

Prior to the approval of any Façade Improvement Matching Grant Application, the Historic Preservation Review Board shall review the application and make a recommendation to the Town Council as to whether or not the improvements are consistent with any historic district design guidelines adopted by the Town and any other consideration provided for in Chapter 19 of the Town code.

The continued goals to preserve and enhance the community's heritage include preventing the further deterioration of the historic downtown, continuing to promote Smyrna's history as a key element of its charm and attractiveness, supporting the work of groups committed to restoration and historic preservation, and related programs to improve the overall appearance, safety, and quality of the community.

Policies supporting these goals include:

- a. Revitalizing the historic downtown to make it an attractive and interesting place to shop, work and live through appropriate streetscape improvements, pedestrian-friendly design, marketing and promotion, and public and private reinvestment.
- b. Application for Certified Local Government status which will allow the Town of Smyrna to receive grants from monies allocated to the State of Delaware by the National Park Service.
- c. Conduct an architectural survey of the outlying historic resources of Smyrna in an attempt to protect those historic properties located outside of the downtown historic district.



- d. As the Town annexes, historic resources will be identified and protected, if feasible. Of particular concern are those properties annexed from New Castle County. Existing New Castle County protection for those historic properties will be lost once annexed. Historic designations and protections will be placed upon the properties simultaneous with annexation.
- e. The Town will explore mechanisms to document African-American historic resources. These resources haven't been previously well documented but add to the historic character of the community.



SECTION 7 - ECONOMIC DEVELOPMENT PLAN

As discussed in the introduction, Smyrna's history is tied to its location as a center of commerce and trade. Although the Town's economy has fluctuated with changes in transportation, the emergence of new forms of retail and service industries, and the dominance of Dover to the south, Smyrna today is experiencing a new wave of growth in its economy as well as in its overall population. Benefiting from access to the regional highway system, including the recently completed State Route 1, the Smyrna area is increasingly attractive to potential businesses.

At the same time, overall growth of the community and the region is attracting new retailers and services, including a Roses Department Store, a significantly expanded new Acme supermarket, and a Waffle House restaurant. The Smyrna Industrial/Office/Research Park (recently renamed the Smyrna Business Park) houses the Delaware National Guard Readiness Center, the electric generation facility owned by the Delaware Municipal Electric Corporation and a number of other businesses as the park's remaining available sites are being rapidly committed. Adjacent to the park, Wal-Mart constructed a regional distribution center now with over 1,000 employees.

Major employers in the community, in addition to the Wal-Mart Center, include the Delaware Home for the Chronically Ill, a state-operated, 400 bed, long-term care facility providing nursing and medical care at the skilled and intermediate level. DHCI employs approximately 625 employees making it the second largest employer in town. The third largest employer in town is the Smyrna School District employing approximately 400 teachers and staff. Other employers include Buck Algonquin Company, General Clothing, Harris Manufacturing, Brandywine Chrysler, Willis Ford/Willis Chevrolet-Buick-Oldsmobile-Pontiac-GMC, Acme Markets, Food Lion and the Town of Smyrna, to name a few. Other large employers, such as the Delaware Correctional Center are located in the immediate area, as well.

The Town's overall economic development goals include fostering a healthy downtown, encouraging a wide variety of retail and service businesses, and developing an expanded mix of business, office, manufacturing, distribution and other major employers to provide additional jobs, balance and enhance the local tax base, and provide necessary services locally for residents.

Overall Economic Development

Beginning in 2003, the town developed a detailed economic development plan and strategy that continues to guide the recruitment of new businesses and the promotion of the vitality of the existing economy. This section of the 2002 plan was revised to reflect the 2003-2004 economic development plan. The goal for Smyrna's economy is continue to attract new employers to the Town to permit employment growth, with particular



emphasis on provision of a full range of job opportunities through an increase in office and business, financial, high-tech, and other development in appropriate and designated areas.

Policies supporting these goals include:

- a. Identification and vigorous promotion of an adequate supply of appropriate sites for business and commerce, light industry, warehousing and distribution, offices, and other uses which will increase the range of job opportunities.
- b. Planning, programming, and construction of public improvements and establishment of various forms of incentives and assistance to encourage development in areas designated for economic growth.
- c. Enforcing performance standards, such as buffering; noise, sign, and traffic controls; and sound planning practices in industrial and commercial development to maintain an atmosphere that is consistent with the community's goals.
- d. Planning for continuing advancements in technology (such as fiber optics) to support networking and enhance business communications and public access to resource and planning information.

Historic Downtown (central business district)

The revitalization and establishment of the historic downtown area as a center with a variety of activities (employment, shopping, restaurants, housing, and cultural activities) working together to create a visual and continual activity focus for Smyrna is a critical planning goal for the community. Development and redevelopment opportunities of substantial and modest sizes exist in the District and its immediate environs. The image, economy, and ambience of Smyrna would benefit greatly from the development of a more diversified and active downtown area.

Policies supporting these goals include:

- a. Town support of the preparation of a development plan for the historic downtown area in order to identify, promote and realize the development potential of this special district, and to ensure that redevelopment proposals do not encroach on stable residential neighborhoods or destroy historic and aesthetic resources.
- b. Developing a plan for adequate public parking in the historic downtown area including attractive pedestrian paths between parking, shopping, employment, and housing areas.



- c. Subsequent to the preparation of a detailed plan for the historic downtown, creating an historic preservation overlay district for the central area with special regulations and assessment procedures to aid in carrying out projects which create a desirable mix of activities, enhance the public environment, and attract people to the downtown area.
- d. Encouraging a mix of residential development, including housing for senior citizens, apartments and townhouses, and bed and breakfast establishments, in or with close linkages to the historic downtown area through special zoning or development incentives in order to provide greater convenience for residents and to stimulate business and cultural activities in the downtown area.
- e. Pursuing improvements to the streetscape of the Four Corners (Main Street), downtown, Library/Opera House areas to make them more attractive and viable.
- f. Reviewing and revising Town codes (zoning, building, fire protection) and working with State officials to remove barriers to mixed uses in historic structures.

Specific activities from the 2003-2004 plan:

- Communicate better with the “built-in” market of residents and employees in the community
- Improve the streetscape including signage and parking
- Encourage the rehabilitation of existing buildings and the construction of new buildings by providing incentives and a “can do” attitude
- Support existing businesses in the CBD and attract a diverse and stable mix of new businesses

Establish a marketing and promotions program for the CBD, including regularly scheduled events and activities

Regional Retail Corridor

The regional retail corridor is the area located on US 13 between the two SR 1 on/off ramps. Development along this corridor can target the local market but will focus mostly on the SR 1 traveler. In addition, uses in this corridor can serve the expanded local market, those families that live within a 30 minute drive, who can be a source of customers for retail services, professional uses, restaurants, and specialty goods. The



Town is preparing a combination of overlay districts and other zoning approaches to promote more efficient and attractive development along the corridor, and is working with DeDOT to implement safety and aesthetic improvements along the corridor.

Specific activities from the 2003-2004 plan:

- Improve the “streetscape” and flow of traffic along US 13 in accordance with the Commercial Corridor Concept plan
- Seek out “destination” retailers and other tourist attractions to locate along the corridor
- Establish development and design criteria along with incentive programs to attract and manage development along US13
- Effectively market Smyrna’s regional retail corridor within the state and mid-Atlantic region
- Create dependable and affordable infrastructure for water, sewer, electric, telecommunications and transportation services

Employment Centers

Employment Centers are areas specifically identified to be developed with the specific goal of providing office or industrial space to accommodate employers. The Smyrna Business Park is the currently identified employment center but the plan envisions creation of another center north of Duck Creek, as well as other locations where employment opportunities can be developed. Although technically part of the CBD area, the Smyrna Health and Wellness Center in the downtown has been a significant employment center for the community.

Specific activities from the 2003-2004 plan:

- Compile and maintain an inventory of existing and available sites
- Establish a targeted list of potential employers by type and size
- Develop a marketing program for targeted prospects and other potential employers
- Insure the availability of support services for companies located in employment centers such as labor, fire and medical services, accommodations, etc.



- Create an incentive package to help lure employers to Smyrna
- Ensure that there is adequate infrastructure and public services to support the development of an employment center.

In 2008, the Town hired an economic development consultant to further facilitate the actions from the 2003-2004 Plan. A Building/Land and Business Inventory has been completed as well as an Opportunity Gap Analysis report, which demonstrated the retail demand of Smyrna compared to the retail sales of Smyrna.

The results of the Opportunity Gap Analysis Report indicated the categories of business that are lacking in Smyrna are: Home Furnishings/Furniture, Electronics, Buildings Materials (paint, hardware, lawn, outdoor etc.), Clothing (men's, women's, children, family), Accessories, Sporting Goods (hobby, games etc.), Office Supply, Full Service, Limited Service and Specialty Food Service, thus creating a basis for prospecting new businesses. Upon receiving the results, Town Staff met with various property owners, developers, and regional brokerage firms to discuss prospective tenants, pad site requirements, zoning issues, etc.

Town Staff continues to establish and cultivate relationships with property owners, business owners, real estate brokers, developers and potential businesses.

Residential Areas

Residential areas are not normally a component of an economic development strategy, but these areas are the core of the local economy and support much of the retail and services that are here. The Town's plan recognizes that communication, marketing and access are critical to the success of the businesses in Smyrna.

Specific on-going activities from the 2003-2004 plan include:

- Extend a warm welcome and provide useful community information to new and existing residents (an action we call "Smyrna-ize")
- Create effective communication tools to reach out to the community
- Avoid becoming a bedroom community by recruiting a mix of employers and businesses
- Insure that there is an adequate supply of services, infrastructure, multi-modal transportation, and housing options to meet the needs of residents



Economic Revitalization and Redevelopment Opportunities

As with any area that has a long history of development, some areas of the community (other than the central business district) present opportunities for redevelopment and revitalization, perhaps to accommodate different uses than have existed historically. The proposed focus on Route 13, for example, presents an opportunity to change the appearance and character of the roadway without necessarily changing the existing uses. North of town along Route 13 the potential exists to redefine the roadway and the uses, away from the older and mostly highway oriented activities in favor of a mix of offices, light industrial and business uses, along with a limited number of traditional highway commercial activities. This challenge will be addressed as part of a Route 13 commercial corridor analysis and the development of a new zoning district for the area.

Within the town proper, along South Main Street, manufacturing and industrial facilities from an earlier period in Smyrna's history were demolished to make room for a 100,000+ square foot medical services center occupied primarily by Christiana Care. The 2002-2003 Plan suggested that over time this area might be redeveloped to provide an in-town cluster of small retail shops and townhouses, such as might be found in a typical New England village; however, the professional and medical space use offered the opportunity to create valuable jobs and further economic activity in the downtown area.

In 2009, the long anticipated first phase of the downtown utility and streetscape improvements along South Main Street was completed, adding to the appearance, functionality and vitality of this important historic business district. Almost simultaneously two new businesses opened in the downtown, three commercial properties were renovated and plans were underway for other upgrades to capture the new spirit of the downtown.



SECTION 8 - HOUSING PLAN

Smyrna is fortunate to have a well-balanced inventory of housing opportunities in both its historic core and throughout the entire community. In 2012, for example, building permits were issued for 21 new single family dwellings, 6 new townhouse units, 10 duplexes, and 70 apartment dwellings. Of projects underway in the community, choices range from upscale single family dwellings to more modest homes, townhouses, apartments and mobile homes addressing a wide range of housing needs and prices. Nevertheless, the Town is committed to ensuring that housing choices are available for all residents. Housing choices include affordable housing units managed by the Delaware State Housing Authority, housing for senior citizens, a number of townhouse, duplex and market rate apartment complexes. Older neighborhoods offer a variety of modest and more elaborate residential options.

Additionally, the Town Zoning Ordinance provides for residential use of commercial buildings in the Central Commercial district (30% of the floor area of the first floor must be in commercial or office use but the balance of the building may be in residences).

The Town encourages the renovation of existing downtown structures for first floor retail and affordable rental and/or owner-occupied housing on second and third floors. Rental housing in the Town of Smyrna is subject to regular inspection and approval whenever tenants change; hence the Town is able to address housing problems through that program as well as through its code enforcement activities.

Redevelopment

In July of 2004, Town Council created the Redevelopment Authority. Town Council has determined that there exists throughout the Town one or more blighted areas, including dangerous buildings. Currently, a planning process is underway to designate four to five redevelopment areas throughout the Town. These various areas constitute a serious and growing threat to the public health, safety, morals and welfare of the residents of the Town of Smyrna, and constitute an economic and social liability which significantly impairs the sound growth of the Town.

Acting as the Redevelopment Authority, Town Council encourages the rehabilitation, renovation, reconstruction, restoration, redevelopment and reuse of such areas by possessing the power to eliminate blighted areas and dangerous buildings through condemnation for a public purpose to protect the public health, safety, morals and welfare of the residents of the Town.

The existence of these blighted areas created a need for the expenditure of public funds in order to preserve public health and safety, thus the Façade Improvement Matching Grant Program was created. Both commercial and residential properties located within the Historic Preservation Overlay District (HPOD), as defined by the Town Zoning Code,



are eligible to participate in the Facade Improvement Matching Grant Program.

The Redevelopment Authority shall reasonably determine the exterior facade improvements eligible for matching grant monies. Prior to the approval of any application by the Redevelopment Authority, the Historic Preservation Review Board shall review the application and make a recommendation to the Authority as to whether or not the improvements are consistent with any historic district design guidelines adopted by the Town and any other consideration provided for in Chapter 19 of the Town code.

Such areas shall be redeveloped and reused for viable purposes under conditions that prevent the recurrence of the same, thereby improving the economy of the Town, reducing the threat of deterioration and blight, efficiently utilizing limited land resources, and improving the overall appearance and attractiveness of the Town.

The Town of Smyrna participates with Kent County in the Community Development Block Grant Program, sponsoring projects to rehabilitate housing and to improve public infrastructure and services to low and moderate income households.

Summary

Important housing goals include the development and maintenance of a wide range of housing opportunities, varying in type, size and densities but not physically segregated according to those attributes, provision of adequate housing opportunities for the elderly and handicapped, and provision of adequate housing opportunities for the low and moderate income households of the community.

Policies supporting these goals include:

- a. Ensuring that a sufficient amount of land is zoned for residential development of various types and densities through a frequent periodic review of development activity and practices.
- b. Encouraging a mix of housing types and sizes throughout the community through a program of development options built into the zoning district requirements.
- c. Including in the review of proposed development a conscious attempt to consider the mix of housing types within the proposed development in comparison to the types approved in recent periods and to the overall development goals for housing in the Comprehensive Plan. Inclusion of cluster-type development options and provision of density or other bonuses to encourage compact, efficient, and attractive developments are critical to providing a mix of housing opportunities consistent with Smyrna's historic community character.



- d. Developing a program in conjunction with state and county agencies to identify, determine causes, address housing blight and deterioration and to eliminate barriers to restoration.



SECTION 9 - ENVIRONMENTAL PROTECTION, OPEN SPACE AND RECREATION PLAN

Environmentally Sensitive Resources & Natural Resources

Goals of this portion of the plan include the protection of the natural environment of the Town and its surrounding area, prevention of destruction of property through ecological negligence, and the protection and enhancement of habitat and critical resource sites to preserve the viability and attractiveness of areas of special character within the built environment (See Appendix D, Figure 7).

Analysis of environmental factors carried out as a part of this comprehensive plan indicates a large proportion of the area within the present Town boundaries and in nearby areas to be suitable for all types of urban development. However, environmentally sensitive areas surrounding streams and wetlands separate the areas, and some other areas of wet soils exist where limitations on development are appropriate.

Protection of environmentally sensitive areas within the urbanizing area takes place on several levels. The Federal flood insurance mapping program and the relationship of this to lending practices for construction has a strong effect on limiting construction within flood-prone areas. Wooded areas are rare in the Smyrna area and, in areas where woodlands exist there should be a strong encouragement of cluster development techniques to prevent the destruction of woodlands. By clustering, the number of dwelling units permitted for the entire site on other areas of the site, woodlands, steep slopes and flood-prone areas may be reserved and costs of providing utilities to the dwellings may be reduced.

According to the Delaware Wildlife Action Plan, several areas in Town are in particular need of protection. These areas are primarily along Duck Creek and its tributaries and are mapped as Key Wildlife Habitat in the plan. These Habitats are rare and have special significance in Delaware and are particularly sensitive to disturbance and may have a high diversity of rare plants and species which may include the possible presence of the federally listed bog turtle.

As a matter of Town policy, developers should be required to submit more detailed field studies of specific parcels as required in the zoning or subdivision codes when submitting development proposals that might impact our environmentally-sensitive resources. By this requirement, developers will become more aware of the need to protect these scarce resources resulting in better planning and design solutions.



Smyrna Code Requirements

The Town of Smyrna zoning ordinance requires a five hundred foot radius around public water supply wells (Appendix D, Figure 9) wherein uses are restricted to protect water quality. The Comprehensive Plan also recognizes the recharge areas implemented by the Delaware Geological Survey for New Castle County. The Town of Smyrna is aware of such designated areas in Kent County and considers such designations in review and approval of annexation and development requests.

The Zoning Code includes provisions for designation of “Environmental Protection Overlay” districts (EPOD)(adopted October 2007) intended to control development in flood plains, on steep slopes, where there are areas of high ground water, prime woodlands and other sensitive resources. EPOD areas require preparation of an environmental impact assessment as set forth in the Zoning Code (at CDA 24.1-27). The assessment report and site review include consideration of beneficial and adverse impacts, alternatives to the proposed use or design, measures to mitigate adverse effects and the extent to which irreversible environmental impacts might occur.

Policies supporting these goals include:

- a. The Town shall continue to implement special controls over development in environmentally sensitive areas to minimize the destructive development of areas of wet soils, woodlands, and other important habitat, and to coordinate with the Kent Conservation District to ensure that adequate storm water management and sediment and erosion control measures are followed unless proper safeguards and standards are in place (as set forth in the Town’s Zoning Code).
- b. Limiting of the construction of any structures for residential, commercial, industrial, or institutional use in flood plains.
- c. Preparation of a town-wide open space plan, linking natural environmental amenities (Appendix D, Figure 6) with active, developed open space, which will guide development of an integrated public/private open space system throughout the Town was completed in 2008. The Town of Smyrna continues to seek State open space and greenways planning grants to support development of an open space plan.
- a. Preparation of a community tree management plan, the establishment of a tree advisory committee, and commitment to a regular program of urban forest planning as required to achieve state and national tree-friendly designations.
- b. The creation of the 1,000 Trees for Smyrna program initiated by the Town of Smyrna in an effort to improve the environment, add to the scenic value of the



Town, create wildlife habitat, and help to diminish the effects of global warming. Envisioned as a ten year project managed by the Town of Smyrna Shade Tree Commission, with input from local experts and the Delaware Forest Service, the plan will designate indigenous and other appropriate trees for planting throughout the Town

- c. Critical areas as defined by the Delaware Source Water Assessment shall be included in the designation of Environmental Protection Overlay Districts.

Natural Features

Areas are identified in the plan and include lands within flood plains, areas with a very high water table, and wooded areas, which are scarce in the Smyrna area (Appendix D, Figure 7).

The goals for conservation areas are to encourage the protection of the natural environment of the Town and its surrounding area, and to prevent destruction of property as the result of ecological negligence or abuse. To achieve these goals, the zoning code and subdivision ordinance have been strengthened to regulate development in areas designated as conservation areas and in areas of extreme environmental sensitivity.

The development pattern recommended by the plan will contribute significantly to the preservation of natural areas, but other tools are necessary to enforce this pattern and to protect environmentally sensitive areas on the urbanizing fringe. Cluster development techniques when sensitively applied are a principal means of protection of woodlands and flood-prone areas. A number of areas along Duck Creek (the Smyrna River) are already protected by public ownership and development for parks and recreational uses. This pattern should be encouraged as well along Green's Branch, where significant parcels of developable land abut both sides; clustering of new development would allow for the stream valley and adjacent woodland to be preserved for recreational and scenic use while held in private ownership. In the areas adjacent to Mill Creek west of Lake Como, a low-density residential pattern already existing is encouraged for future development in the areas closest to the woodlands and creek.

A portion of the area designated as Business and Commercial on the north side of Duck Creek between Route 13 and SR 1 contains land identified as the Lower Delaware River State Resource Area. State Resource Areas are comprised of lands that contain a variety of natural, cultural and open space resources significant to the state, and include lands held in conservation by various groups as well as lands targeted for conservation and preservation efforts. Consideration will be given to protecting these resources during



the design and construction of any future projects, as these areas will be subjected to the Environmental Protection Overlay District prior to annexation.

Water Quality Issues

DNREC noted in the review of the 2002 plan that the Town is served by Kent County's wastewater treatment plant and that plant is subject to a Total Maximum Daily Load (TMDL) requirement. The Town is working with the County and DNREC to ensure that pollutant reductions are attained.

Total Maximum Daily Loads (TMDLs)

Under Section 303(d) of the 1972 Federal Clean Water Act (CWA), states are required to identify all impaired waters and establish total maximum daily loads to restore their beneficial uses (e.g., swimming, fishing, drinking water and shellfish harvesting). A TMDL defines the amount a given pollutant (i.e., or the pollutant loading rate reduction for a given pollutant) that may be discharged to a water body from all point, nonpoint, and natural background sources; thus enable that water body to meet or attain all applicable narrative and numerical water quality criterion (e.g., nutrient/bacteria concentrations, dissolved oxygen, and temperature) in the State of Delaware's Water Quality Standards. A TMDL may also include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting in water quality.

In simplistic terms, a TMDL matches the strength, location and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate that pollutant without adverse impact. The realization of these TMDL pollutant load reductions will be through a pollution control strategy (PCS). A Pollution Control Strategy (PCS) is the regulatory directive that identifies what specific actions (e.g., best management practices) are necessary for reducing pollutants in a given water body (or watershed); thus realizing the water quality criterion or standards set forth in the State of Delaware's Water Quality Standards – ultimately leading to the restoration of a given water body's (or watersheds) designated beneficial use(s). The PCS will also include some voluntary or non-regulatory components as well.

Water Resource Protection Areas

Wellhead protection areas and excellent recharge areas are defined as Critical Areas. There are instances where both of these types of critical areas are present within the Town of Smyrna municipal boundaries (Appendix D, Figures 7, 8 and 9). Delaware Source Water Law requires adoption of the DNREC delineated wellhead protection areas as critical areas. The wellhead area for the three wells in existence at the time of the assessment was mapped. This area covers a substantial section of the Town. This



area was delineated through the Source Water Assessment Report provided to the Town of Smyrna on September 9, 2003. An updated Source Water Assessment is forthcoming from DNREC.

The Comprehensive Plan recognizes/designates these areas (Appendix D, Figures 7 and 9) as critical areas, the first step for the protection of these resources would be the adoption of the Critical Areas into the Town of Smyrna Comprehensive Plan as areas to be protected. With the adoption of this comprehensive plan, the town can take what steps are necessary to protect these critical areas through ordinance and regulation. The DNREC Source Water Protection Branch is available to assist in this process as part of plan implementation to decide what steps are necessary.

There are several excellent recharge areas within and nearby the municipal boundaries of the Town. The Town of Smyrna Water supply wells are located within the municipal boundaries. The wellhead protection areas defined by DNREC Source Water Protection are both inside and outside of the municipal boundaries. The area of the municipal boundaries is under Kent County jurisdiction. A revised Source Water assessment that includes the recently added 4th well will expand the wellhead protection area further into Kent County.

Farmland Protection

The promotion of a compact development pattern for new growth and annexation, consistent with state and county growth strategies will, to a large degree, help to preserve productive farmland by limiting leapfrogging and suburban sprawl. Designation of receiving zones for new development coupled with the ability to transfer development rights from farms which might otherwise be threatened with urbanization limits speculation on these lands. Smyrna's growth and annexation strategies support these objectives

Public and Private Recreational Facilities

Public parks and recreation facilities are presently concentrated along Duck Creek Parkway and North Main Street to the north and northwest of Town and a smaller park area on the east side of Town at Green Meadows, although existing school sites throughout the town also address a portion of neighborhood recreational needs (Appendix D, Figure 6). Lake Como provides water-based recreation as well as scenic beauty to the town as well. Big Oak Regional Park just south of town, further assists in meeting the overall recreation needs of the area. Other recreation and open space opportunities exist along various watercourses through the town, such as along Mill Creek, where the Town has been granted approximately 11 acres. The area along Green's Branch adjacent to the existing bicycle path, in the Sunnyside and Gardenside



developments, and part of new and future residential developments are where open spaces have been set aside in conformity to the code. Anticipated growth to the east of Route 13 and to the southwest and south indicate a need for recreational lands in those areas phased to match the rate of development activity (Appendix D, Figure 6).

1. Public Open Space

Public parks and recreation areas exist as public amenities to serve the entire community. Municipal Park and the Little League and Little Lass baseball fields are the principal large public lands in this category, while the Lake Como swimming area and Lake Como itself provide significant water recreation opportunities. Smyrna is also blessed with a number of school sites throughout the town, including the high school and recently completed middle school along Duck Creek Parkway, and other schools within the older portions of the community. Within other parts of the Town, developed public open space is scarce. The Town hopes to add additional staff resources to facilitate an expanded parks program and will be investing in development of many of the areas listed above in the near future. Additionally, a system of pedestrian walkways and a vest pocket park are being developed as part of the downtown revitalization initiative.

2. Private Open Space

Private open space is necessarily planned in conjunction with conservation areas, is required as part of new residential developments and in areas where it must be set aside to control storm water runoff, and as a critical feature within planned unit development or cluster developments. Density bonuses and other options should be offered for the provision of common private open space to be shared by owners and renters in cluster developments.

Wetlands Regulatory Jurisdictions

Regulatory Protection of wetlands is mandated under Federal 404 provisions of the Federal Clean Water Act (Appendix D, Figure 7). Tidal wetlands are accorded additional regulatory protection under Title 7 Chapter 66 provisions of the State of Delaware's Code. Compliance with these statutes may require an Army Corps of Engineers approved field wetlands delineation and/or DNREC approval.

Implementation

1. Given the fact that buffers are an essential Best Management Practices (BMP) for achieving the nutrient reductions. Such reductions are necessary for Delaware to achieve future Federal TMDL reduction requirements to meet water quality



standards. The Town will be proactive and work with DNREC to create an ordinance mandating the maintenance/restoration of buffers for all residential/commercial developments that are within 100 feet of wetlands or water bodies. Based on peer-reviewed research, a buffer width of 100 feet (upland area between wetland/water edge to the edge of a created land parcel) is considered the minimally acceptable buffer width necessary to maintain water and habitat quality.

2. The creation of impervious cover through development is a well-known environmental problem in all watersheds under intense development pressures (including the Smyrna River watershed). The Town of Smyrna will attempt to be proactive and require all development projects with Town to implement BMPs that mitigate for some of these impacts. Suggested BMPs to mitigate the creation of excessive impervious cover, include: reducing the amount of allowable forest cover removal; requiring the use of alternative paving surfaces (especially in commercial developments) where practicable; allowing only green storm water technologies; and adopting a minimum buffering requirement from all wetlands and streams.



SECTION 10 - INTERGOVERNMENTAL COORDINATION

Towns do not exist in a vacuum, neither do counties nor the State. Coordination and cooperation among jurisdictions are essential to the well-being of each and to the achievement of the Livable Delaware goals. Smyrna's Comprehensive Plan recognizes that the interests of the Town will only be realized through continued planning to ensure wise growth and efficiency in the use of natural and financial resources.

Smyrna is engaged in regular communications with the Office of State Planning Coordination (OSPC), the counties and the Town of Clayton, particularly as relates to the provision of roads, water and sewer systems, schools and open spaces. Particularly relevant are discussions with DelDOT regarding transportation enhancements in the Town and the region. The Town of Smyrna is a contract user of Kent County's wastewater system and as such the town is in regular contact with the County regarding projected sewer demands. The Town requires approvals from DelDOT, DNREC, and the State Fire Marshall's Office prior to final approval of site plans and subdivision plans. Additionally, the Town will continue to participate in Livable Delaware initiatives such as the Community Design and data-sharing activities led by OSPC.

The Town's staff are active members of the Delaware League of Local Governments and the Central Delaware Economic Development Council, the Delaware Chapter of the American Planning Association and the International City Manager's Association (and their Delaware chapters), the Board of Directors of the Delaware Municipal Electric Corporation (DEMEC) and other organizations that offer opportunities for intergovernmental and other coordination.



CHAPTER 4 IMPLEMENTATION

Since the 2002 update of the comprehensive plan the following have been completed:

Progress

- Prepared and adopted an historic preservation ordinance to protect and preserve the historic architecture and heritage of the area. (Completed during 2003)
- Conducted a review and comparative analysis to ensure consistency between the proposed land use plan map and the existing zoning map as required under state law (HB 255) (Completed during 2004)
- Reviewed the Town's charter to streamline it, make it more contemporary, and provide the basis for effective, efficient, and responsive government. (Completed, new charter adopted July 17, 2003)
- Developed and implemented a Matching Façade Improvement Grant program to encourage historic preservation and housing improvement.
- Developed and implemented a program of incentives to encourage redevelopment and continued economic development.
- Developed and implemented contemporary community design standards that promote compact, creatively designed, resource efficient development of the areas proposed for annexation. These standards will foster developments that are similar in character to the town, that promote walking and other non-vehicular forms of transportation, that include sensible and useable open space systems, and that provide a mix of residential uses accompanied by neighborhood commercial and community services, as appropriate.



Status

At the time of this update of the comprehensive plan the following actions are underway:

- Designate a business and commerce zone where a combination of infrastructure investments and development of a second town-owned business park would foster additional economic development and creation of employment opportunities in the Smyrna-Clayton region. As part of this effort, the existing industrial and business zoning classes will also be reviewed to ensure that Smyrna appropriately provides for office, professional, institutional uses, and mixed use residential. (Underway)
- Developing design standards and other controls to improve the quality of highway commercial uses and properly manage the functionality of the highway corridor system in coordination with DelDOT, the Dover/Kent MPO, and Kent County. (Underway)

Essential Activities

To accomplish its planning and growth objectives Smyrna will continue the following actions to implement its comprehensive plans and annexation element:

- Conduct a full review of the zoning ordinance, including development of user-friendly use and bulk tables, adoption of revised and/or new provisions to better address development issues and clarify requirements, and provide for greater flexibility in return for performance and design based options. (Underway)
- Create criteria and processes for review of the benefits, impacts, and service requirements associated with annexation proposals, including meeting the plan for services requirements under the state's recently amended municipal planning and annexation provisions. (Underway)
- Work with the state and both counties to have newly annexed areas qualify as Transfer of Development Rights (TDR) "receiving zones" where density bonuses and design flexibility are provided. TDR offers an opportunity to promote compact development and help save important farmland and important resource protection areas from development (such areas would be sending zones from which development rights would be transferred). Designation of sending areas by Kent and New Castle Counties and companion county land use controls to limit rural growth are necessary for this initiative to be successful. (Ongoing)



- Working with DNREC and Kent County, as well as private conservation groups, to identify and protect critical open space and habitat in the area, provide an adequate system of public and private open spaces, plan for efficient storm water management systems, and protect essential water resources. (Ongoing)
- Seek state funding to support planning for and development of water and wastewater infrastructure systems for the areas proposed for development within the town and for annexation to guide the orderly extension of these services and properly allocate costs between developers, future users and the community. The Town is particularly sensitive to the risks of inefficient utility extensions and the leapfrogging of development that could occur if extensions of utilities and other services are not well managed. Coordination with other governments and service providers is an essential component of this effort. The Town recognizes that public safety and other service considerations must also be considered in the annexation and development process. (Ongoing)
- Commit to a regional approach to planning for the for the Smyrna-Clayton area that addresses shared development and conservation concerns. Engage in regular coordination with the Town of Clayton, Kent County, New Castle County, the state and property owners/developers regarding both planning and development activities to ensure sharing of information, consideration of potential impacts, identification of unanticipated situations, and integration of public services. (Ongoing)
- Commit to regular review and updating of Smyrna's Comprehensive Plan, development of ordinances, facilities plans, and utility policies to ensure that Smyrna is a model for sensitive, sensible, livable development. (Underway)



Appendix A:

ANNEXATION HISTORY OF SMYRNA

1855-1960	Town consisted on one square mile.
5/5/61	74 Acres annexed, Delaware Home & Hospital
7/3/63	137 Acres, Cottage Dale Acres
10/2/63	40 Acres, Portion of Sunnyside Acres
7/15/64	Lot (115' x 145'), Vaughn
9/2/64	33 Acres, Portion of Glenwood Development
5/5/65	155 Acres, Ennis/Stokesbury (Green Meadows)/Pratt
8/7/67	320 Acres, High School/Johnson Farm/Municipal Park
1/14/71	40 Acres, Portion of Sunnyside Acres/Odd Fellows
9/7/71	1.3 Acres on South Street, Slaughter
6/3/74	76 Acres, Wick Farm
4/16/79	7 Acres, Turners Row
8/17/87	Block bound by Commerce, Mt. Vernon, Howard & Upham
10/5/87	337 Acres, Mitchell Farm
8/1/88	14 Acres, General Clothing
1/17/89	Block bound by Howard, Mt. Vernon & S/C Blvd.
11/6/89	Block bound by Howard, Commerce, Lexington and Upham
1/2/90	22 Acres, McAllister
12/10/90	1.8 Acres (3 parcels) on Southwest corner of U.S. 13 and Belmont, Schreppler/Lamb
7/20/91	0.5 Acres (2 parcels) on W. South, Gilman (HJH)



10/7/91	0.9 Acres (2 parcels) on N. Carter, Messick
11/4/91	1.5 Acres (4 parcels) on S. Clement, Turner/Ballard/Ireland/Burris
8/21/95	13.5 Acres, Davis 290 Acres, Brown 0.4 Acres in Spruance City, English/Harrington 11 Acres west of U.S. 13, Newburg 0.8 Acres, Sunnyside Road, Keen
6/3/96	82.18 Acres (6 parcels) east of U.S. 13, Beiser/Gambacorta/Ramunno/State of Delaware
11/4/96	35 Acres east of U.S. 13, Beiser Group 0.54 Acres north of Glenwood Ave., Caldwell
2/18/97	0.6 Acres at intersection of Rt. 300 and Rt. 6, Staats Gas
9/2/97	2.94 Acres west of Rt. 13, Pappas/Hayes
12/29/99	23,200 sq. ft., 1466 S. duPont Highway, Morrow
4/2/00	0.4683 acres, 16 S. Carter Road, Archer
12/18/00	190.3 acres, SW side of Smyrna Leipsic Road, Beatrice Blendt Est.
12/18/00	51.9 acres, west of Cedarbrook, south of lands of Elizabeth Brown, east of lands of Robert Paul Wick, Wick Farm
04/21/03	213.27 acres on the east and west sides of Rabbit Chase Road between Sunnyside Road and Brenford Road Lands of Liborio III
04/21/03	28.14 acres between Sunnyside Road and Wilson Place, Capson of Brandywine LLC
08/18/03	27.75 acres at intersection of Duck Creek Road and Joe Goldsboro Road, Town of Smyrna
08/18/03	55.779 acres south side of Joe Goldsboro Road, between Route 13 and Duck Creek Road, Tappahanna Construction



08/18/03	103 acres on the north side of Brenford Road, west of Route 13, Wisk
08/18/03	180.43 acres on both sides of Duck Creek Road, Watson
08/18/03	60.95 acres, Duck Creek Road and Joe Goldsboro Road, Sharoff
08/18/03	166 acres at 166 Brick Store Landing Road, Jurgens
02/02/04	1.92 acres, 721 W. Glenwood Avenue. Norton
04/19/04	1 acre, 2334 S. DuPont Highway, Barrett
04/19/04	11.90 acres, 2352 S. DuPont Highway, Kellner
06/21/04	0.8150 acre, fronting on Howard Street & Lexington Avenue, Juanita LLC
06/21/04	2 lots on the nw corner of the intersection of Howard Street & Lexington Avenue, Slaughter
06/21/04	100 acres, north side of Brenford Road, east and west sides of Rabbit Chase Road, Lamberta Estate
06/21/04	40 acres, north side of Brenford Road, Burris
06/21/04	11,424 sq. ft., 614 Lexington Avenue, Dorrell
08/02/04	Lots on south side of Lexington Avenue between Clements Street and Howard Street, McGrath
08/02/04	Lots at 513 and 521 Lexington Avenue, Davis
09/20/04	36,000 sq. ft., 1350 S. DuPont Highway, 1350 Assoc.
09/20/04	1.6529 acres, 1382 S. DuPont Highway, McClary
09/20/04	1.0124 acres, 1414 S. DuPont Highway, Gemini LLC
09/20/04	9 acres, 1594 S. DuPont Highway, Smyrna Two LLC
09/20/04	1.82 acres, 1600 S. DuPont Highway, Smyrna Two LLC



09/20/04	0.6749 acres, 1628 S. DuPont Highway, Smyrna Realty
10/18/04	23 S. Upham Street, Fitzgerald
11/01/04	616 Smyrna Leipsic Road, Sipple
12/20/04	28,752 sq. ft., 95 Cedarbrook Drive, Lesnewski
12/20/04	0.6920 acres, 704 Sunnyside Road, Lonely Street LLC
08/15/05	2.1671 acres, north side of W. Glenwood Avenue, Watson
7/18/05	35.80 acres, 42 Brenford Road, Sylvan Valley Real Estate
2005	2.1671 acres, 714 and 722 West Glenwood Avenue, Dee Watson
2005	0.6920 acres, 704 Sunnyside Road, Lonely Street, LLC
2005	0.66 acres, 95 Cedarbrook Drive, Lesnewski
2006	.23 acres, 5543 duPont Parkway, Flores
2006	1.82 acres, 5722 duPont Parkway, Hoffecker
2006	2.07 acres, 5745 duPont Parkway, Stover Builders, Inc.
2006	25 acres, 1181 Duck Creek Road, SBCL, LLC
2006	2.11 acres, 5812 duPont Parkway, 5814 duPont Parkway, & 5816 duPont Parkway, Oakridge Holdings of Delaware, LLC
2006	41.23 acres, 1511 Paddock Road, KRM Development Corporation
2006	3.45 acres, 5511 duPont Parkway, Horsey
1/10/07	0.77 acres, north side of Carter Road, Slaughter
1/10/07	0.536 acres, intersection of North Carter Road and Wheatley's Pond Road, Bayhealth
1/10/07	0.5587 acres, 32 South Clements Street, Sapp
1/10/07	0.09 acres, 535 Lexington Avenue, Lowman



1/10/07	0.08 acres, 28 South Howard Street, Hurtt
1/17/07	5 acres, 1779 and 1797 South duPont Boulevard, Warren
8/6/07	2.16 acres, 5495 South duPont Parkway, Wildcat, LLC
8/6/07	9.12 acres, 1273 Duck Creek Road, Catts
8/6/07	13.67 acres, 5408 duPont Parkway, Biddle
9/4/07	38.86 acres, north east side of Brenford Road, Sedmont
9/4/07	.74 acres, 41 South Howard Street, Budd
2007	1.09 acres, 5573 South duPont Highway, 13 Smyrna LLC
2007	1.077 acres, north end of Myrtle Street, English
6/8/08	1.57 acres, 5744 duPont Parkway, Lattomus
9/15/08	.33 acres, 14 South Clements Street, Pennington
11/17/08	5.09 acres, 5838 duPont Highway, SSC, LLC
2008	1.359 acres, 616 West Glenwood Avenue, Infante
12/9/09	0.067 acres, 13 North Howard Street, Faust
2009	0.69 acres, 5525 DuPont Parkway, Horsey
12/6/10	1.67 acres, 900 West Glenwood Avenue, American Legion
3/8/11	0.55 acres, 30 South Carter Road, Shane
4/5/11	0.50 acres, 38 South Carter Road, Cereghin
12/15/11	0.81 acres, 18 Myrtle Street, Fletcher
4/30/12	1.74 acres, 949 South Dupont Boulevard and adjacent lot, Fox
7/16/12	30.5 acres, 217 Smyrna-Leipsic Road, State of Delaware (Belmont Hall)



Appendix B - Subdivision Totals

<u>Subdivision</u>	<u>Type of Housing</u>	<u>Total # of Units</u>	<u>Units Built to Date</u>
Ashland	SFD	150	not started
Bergmont Woods	SFD	67	not started
Bombay Woods	SFD	161	161
Bon Ayre	MH	404	221
Brenford Station, Section 2	SFD	67	not started
Cambria Village	TH	278	56
Christina Apartments	APT	72	41
Eagles View	TH	145	145
Gardenside	SFD	41	41
Graceville/Centerville	SFD	425	not started
	DUP	428	not started
Greenbrier Estates	DUP	2	not started
	TH	13	not started
Hickory Hollow	SFD	325	109
Huntfield	SFD	29	15
Juanita, LLC	TH	24	24
Lake Como Woods	SFD	63	6
Lincoln Place	APT	8	8
Mount Vernon Proper	TH	10	10
North Park	TH	38	not started
SBCL Smyrna Properties	SFD	47	not started
School House Village	SFD	41	41
Sunnyside Village	SFD	234	224
	TH	139	139
Sunnyside Village Apartments	APT	234	234
Towne & Country	SFD	111	111
Watson Farm	SFD	419	not started
	TH	109	not started
	APT	288	not started
West Shore Phase I	SFD	47	47
West Shore Phase II	TH	32	32
Weston Village	SFD	1	1
	DUP	10	10
Woodland Manor Phase I	TH	92	92
Woodland Manor Phase II	TH	133	102
Worthington	SFD	40	not started
	DUP	206	30
	TH	303	123

**We anticipate that all of these subdivisions will be built out within the next 5 years*



Appendix C:

MEMORANDUM OF UNDERSTANDING



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is hereby made this 23rd day of May 2005, by and between the Town of Smyrna ("Town"), a municipal corporation of the State of Delaware, Dee A. Watson, Jr., a citizen of the State of Delaware, D. Wat, L.L.C., a Delaware limited liability company, Goldsborough Road Development, L.L.C., a Delaware limited liability company (collectively referred to as the "Plaintiffs") and New Castle County ("County"), a political subdivision of the State of Delaware and states as follows:

WHEREAS, the Plaintiffs brought an action seeking declaratory relief against Kent County and New Castle County in Delaware Chancery Court in and for Kent County (Civ. A. No. 244-K), such action was then transferred to the Delaware Superior Court in and for Kent County (Civ. A. No. 04c-11-047).

WHEREAS, the main issue in the litigation was whether Kent County could legally provide sanitary sewer treatment services to effluent collected in and from areas that were recently annexed by the Town but located within New Castle County, without the County's express agreement. By Memorandum Opinion dated January 24, 2005 and subsequent Order, the Superior Court granted Plaintiffs' request for declaratory relief.

WHEREAS, the County filed an appeal in the Delaware Supreme Court (No. 103, 2005) and shortly thereafter, the Town and the County initiated discussions with the intention of resolving the litigation. Discussions among the parties and the State of Delaware Office of State Planning Coordination have resulted in the terms and agreements contained in this MOU.

WHEREAS, the parties to the litigation have agreed to dismiss the action based upon the following terms and agreements.



Fig. No. 1 No. 2 Fig. No. 1 Fig. No. 2

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the parties to this MOU, intending to be legally bound, do hereby agree to the following:

1. The Town agrees to work with the State of Delaware Office of State Planning Coordination ("OSPC") and the State of Delaware Department of Natural Resources and Environmental Control to develop and adopt Source Water Protection Regulations prior to the state's 2007 deadline. The Town further agrees to strengthen its regulations addressing water recharge areas, floodplains, riparian buffers, forest protection and other environmental resources.
2. The Town agrees to work in partnership (including the Town, the County, the OSPC, developers, and non-profit entities) in an effort to create a green buffer between the Town's growth area and surrounding areas in the County, including but not necessarily limited to, the land known as the R.C. Peoples farm and the Kemp farm.
3. The Town acknowledges that the parcels lying within the Town's growth area west of Duck Creek Road are designated for "low-density residential" development on the Town's Comprehensive Plan adopted February 18, 2003 and are or will be zoned "R-1" or "R-1-A" in accordance therewith. The Town agrees that it will not seek to revise the zoning classification for such lands or the Town's Comprehensive Plan without proceeding through the statutorily-mandated procedures for such revisions or amendments, including those provisions codified in Delaware Code title 29, chapter 92 and known as the "Preliminary Land Use Services" or "PLUS."
4. The Town agrees to encourage the use of good community design principles as set forth in the Better Models for Development publication for all developments located north of Duck Creek.



5. New Castle County agrees to withdraw its request concerning the local service function budget tax credit for the annexed parcels located in the County as set forth in Chief Administrative Officer David Singleton's letter of April 12, 2005.

6. Inasmuch as the County no longer objects to Kent County's treatment of effluent collected by the Town within those lands annexed by the Town and located in the geographic boundaries of the County, the County agrees to withdraw its appeal presently pending in the Delaware Supreme Court (Case No. 103, 2005).

7. Lands located within the Town's growth area which have not yet been annexed by the Town will be governed, upon annexation, by the provisions of paragraph 2, 3 and 4 above.

8. The Town will encourage an integrated commercial and mixed use development pattern tied to appropriate utility services along the US 13 corridor, including adopting a special overlay district to encourage well designed commercial development of the corridor. The Town represents that the overlay district development process is well under way. The Town represents its intention to annex all properties along US 13 south of the SR1 interchange, whether developed or not, so that they can be properly regulated and adequately serviced with all Town utilities.

9. The Town agrees that it will restrict annexations outside of its designated growth area as identified in its adopted Comprehensive Plan approved February 18, 2003 until 2012; that is, the Town shall not seek to extend its growth area beyond its current Comprehensive Plan limits until 2012.

10. The Town pledges to fully participate in both County and state planning processes in the future. New Castle County pledges to participate in the Town's future Comprehensive Plan revisions and updates.



11. The Town agrees that plans of service will be prepared for the areas to be considered for annexation in its growth area and to fully utilize the PLUS process to ensure good design and maximum intergovernmental coordination.

12. To the extent permitted by law, this MOU and the agreements provided herein shall be binding upon the parties hereto and upon their respective successors and assigns.

13. There are no third party beneficiaries to this MOU and the terms of this agreement may only enforced by the parties executing this MOU.

14. This Agreement shall be governed by the laws of the State of Delaware.

[signature page to follow]



IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding under their respective hands and seals the day and year first written above.

Witness:

Carol C. McKinney

For the Town of Smyrna:

BY: [Signature] (SEAL)
Name: Mark G. Schaffner
Title: Mayor

Witness:

Robert J. Richards

For New Castle County:

BY: [Signature] (SEAL)
Name: Christopher A. Coons
Title: County Executive

Witness:

Carol C. McKinney

For D. WAT, L.L.C.:

BY: [Signature] (SEAL)
Name: Dee A. Watson
Title: managing member

Witness:

Carol C. McKinney

Dee A. Watson:

BY: [Signature] (SEAL)
Name: Dee A. Watson

Witness:

[Signature]

Goldsborough Road Development, L.L.C.:

BY: [Signature] (SEAL)
Name: Daniel H. Kraft
Title: Authorized Person

The State of Delaware Office of State Planning Coordination approves this MOU as to form and substance:

BY: [Signature]
Name: Christina P. Hall
Title: Director of Planning



Appendix D:

Figures*

Figure No.	Name
1	Smyrna and Environs Aerial
1-1	Smyrna and Environs – Aerial detail
1-2	Smyrna and Environs – Aerial detail
1-3	Smyrna and Environs – Aerial detail
2	Existing Land Use
2-1	Existing Land Use - Detail
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5	State Strategies
6	Parks and Open Space
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9	Critical Public Facilities
10	Water Facilities and CPCN Territories
11	Regional Sewer Facilities
12	Roadway Functional Class
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**each of the figures are included in the following pages*

